

PROGRAM PERSONNEL

DAVID SHRIVER - President ASPCRO, Maryland
Department of Agriculture
NEIL OGG - Pesticide Coordinator, Clemson
University
ROSE MOFFORD - Arizona Secretary of State
JAY ALLEN - Chairman, Structural Pest Control
Board
LUCY CONN - President, Arizona Pest Control
Association
DAVID WARD - Deputy Director, Arizona Insur-
ance Department
LARRY HAWKE - House of Representatives, Ari-
zona Legislature
NANCY FROST - Chief, Pesticide Section, EPA
ROBERT M. RUSSELL - Vice President, Govern-
ment Relations, Orkin Pest Control
JOE K. MAULDIN - Principal Entomologist, U.S.
Dept. of Agriculture
CHARLES HROMADA - Senior Vice President,
Terminix International
CLIFF McCREEDY - Manager, State Govern-
ment Affairs, NPCA
CHARLES H. FROMMER - Director, Regulatory
Affairs, Velsicol Chemical Corp.
THOMAS BOELTS - Technical Sales Represen-
tative, ICI Americas, Inc.
JIM VACCARO - Project Development Man-
ager, Dow Chemical Co.
JOHN RICKELS - FMC Corp.
SUSAN F. VOGT - Director, Pesticides Certifi-
cation & Training Program, EPA
PHILIP GRAY - Intergovernment Liaison Officer,
Office of Pesticide Programs, EPA
MARY ELLEN SETTING - Entomologist, Maryland
Department of Agriculture
ROGER GOLD - Head, Department of
Entomology, University of Nebraska

SPONSORS

Arizona Argo Chemical Co.
Arizona Pest Control Association
Arizona Spray Equipment
Doyle Exterminating
Dow Chemical Co.
FMC Corp.
ICI Americas, Inc.
Orkin Exterminating
Target Chemical
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Truly Nolen Exterminating, Inc.
University Pest and Termite Control
Van Waters & Rogers
Velsicol Chemical Corp.

Association of Structural Pest Control Regulatory Officials

26th Annual Meeting
September 22-26, 1986

Sheraton Tucson El Conquistador
Tucson, Arizona

1986 ASPCRO Officers
David Shriver - President
Rudolph E. Howell - Vice President
Betty Wyckoff - Secretary/Treasurer

ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS

September 22-26, 1986
Sheraton Tucson, Arizona

Monday, September 22, 1986

EVENING

5:00 Registration
6:00 Social Hour

Tuesday, September 23, 1986

MORNING

8:00 Registration
8:30 Call to Order - David Shriver
8:35 Invocation - Neil Ogg
8:45 Welcome to Arizona - Rose Mofford, Secretary of State
9:10 Structural Pest Control Board Highlights - Jay Allen
9:20 Comments from Arizona Pest Control Association - Lucy Conn
9:30 Structural Pest Control Insurance Problems - David Ward
10:10 Break
10:40 Ground Water and Pesticides - Representative Larry Hawke
11:30 EPA Region IX Update - Nancy Frost
12:00 Lunch - Guest Speaker U.S. Senator Dennis DeConcini

AFTERNOON

1:30 Cooperative Efforts Between States and Industry - Robert Russell
2:00 Termiticide and Nematode Evaluation Studies - Joseph Mauldin
2:25 New Spill Control Program by Terminix - Charles Hromada
2:50 N.P.C.A. Activities in the States - Cliff McCreedy
3:15 Break
3:30 Panel: Industry Update on Termiticides

1. Velsicol Chemical Corp. - Charles Frommer
2. ICI Americas, Inc. - Thomas Boelts
3. Dow Chemical Co. - James Vaccaro
4. FMC Corporation - John Rickels

5:00 Adjourn
6:30 Social Hour

Wednesday, September 24, 1986

MORNING

8:00 Field Trip to Nogales, Arizona
10:00 Chamber Fumigation Demonstration - Doyle Exterminating Co.
11:30 Vacuum Fumigation Demonstration, Nogales, Mexico - U.S.D.A.

AFTERNOON

12:30 Lunch: Nogales, Mexico at "El Cid"
2:00 Return to Hotel via San Xavier Mission
6:30 Dinner: Last Territory (at hotel)

Thursday, September 25, 1986

MORNING

8:30 Applicator Certification and Training Issues - Susan Vogt
9:15 Regulatory Status of Termiticides - Phil Gray
10:05 Break
10:30 Pesticide Monitoring and Equipment - David Shriver
11:30 Computerization of Certification Examinations -
Mary Ellen Setting

12:00 Lunch

AFTERNOON

1:30 State Reports
2:45 Adjourn
3:00 Leave Old Tucson
5:30-7:30 BBQ and Social Hour

Friday, September 26, 1986

MORNING

8:30 Sampling Procedures - Dr. Roger Gold
9:30 State Reports
10:30 Break
10:45 Business Meeting
12:00 Adjourn

MINUTES OF THE 26th ANNUAL MEETING OF THE ASSOCIATION OF STRUCTURAL
PEST CONTROL REGULATORY OFFICIALS

The Association of Structural Pest Control Regulatory Officials met for their 26th annual meeting at the Sheraton Tucson El Conquistador, Tucson, Arizona from September 22 to September 26, 1986. Thirty five state regulatory officials from twenty two state regulatory agencies were represented. Also present were seventeen representatives from industry and other regulatory agencies.

The meeting was called to order on September 23, 1986 at 8:30 a.m. by President David Shriver. Mr. Neil Ogg of Clemson University, Clemson, South Carolina gave the invocation. The members were welcomed to Arizona by the Secretary of State, Rose Mofford, Vice Chairman of the Structural Pest Control Board, William Jones, and President of the Arizona State Pest Control Association, Lucy Conn.

Mr. Richard Hayden from the Arizona Department of Insurance spoke about the problems the industry faced in regard to insurance and the members of the association discussed various topics identifying the problems associated with the national crisis. A list of problems was distributed with a request that each State respond with their solution. (A copy is attached to these minutes. Please respond directly to Neil Ogg.)

Arizona State Representative Mark Kilian spoke of the problems of pesticides and groundwater. Rep. Killian discussed the new law of Arizona, Environmental Quality Act, which would become effective July 1, 1987. A list of compounds comprise the groundwater protection list for pesticides which are considered by the Environmental Protection Agency to have a high potential for leaching into groundwater.

Nancy Frost, Chief, Pesticide Section, EPA Region IX, San Francisco, California, updated the members on the recent activities of the Regions as a whole, and Region IX specifically. She detailed recent work with the Region IX states regarding their program operations and enforcement actions and the successful cooperative efforts and improvements. She also addressed the members regarding the restriction of all termiticides, which she predicted would be within six months. She spoke on contamination, the ground water situation, disposal and grants.

Robert Russell, Vice President, Government Relations of Orkin Pest Control, addressed several issues of concern as to cooperative efforts between states and the industry. In regard to legislative cooperation, he said good relations exist between the states and the industry, citing several examples of government and industry working together and cooperating. Second, he spoke concerning NAS Termiticide Guidelines and urged the state group to look more to Dr. Hayes adaptation of the threshold values than NAS numbers concerning air contamination levels. He feels that as far as air levels are concerned, there are no absolutes. Concerning violations and liability, he stated if one has a state infraction and a lawsuit is filed, that individual is a loser in that lawsuit. He knows the state cannot withdraw from it's responsibilities but suggested categories of penalties, there being a compelling liability problem at this time. And last, the GAO report on non-agricultural pesticides. He feels it is a very one-sided report.

Randy Downer, representing Senator Dennis DeConcini's office, spoke to the group at lunch. Various legislation was discussed and made available to the group such as H.R. 2482, S. 2792, reports on the Committee on Agriculture and Additional Views - 99-424.

Joseph Mauldin who is the project leader of the U. S. Department of Agriculture in Gulfport, Mississippi reported on the termiticide and nematode evaluation studies being done at their test station.

Mr. Charles Hromada addressed the association outlining the new spill control program by Terminix.

The National Pest Control Association was represented by Cliff McCreedy who gave an update on the activities in the various states.

A panel consisting of Charles Frommer, Velsicol Chemical Company; Thomas Boelts, ICI Americas, Inc.; James Vaccaro, Dow Chemical Company; and Charles Skibbie, FMC Corporation presented information and facts on the termiticide issues.

A field trip to Nogales, Arizona was held on Wednesday, September 24th where the group monitored a chamber fumigation demonstration and a vacuum fumigation demonstration by the Doyle Exterminating Company. The group was then treated to lunch in Nogales, Old Mexico by the Doyle Exterminating Company at the El Cid Restaurant. On the return trip, everyone had the opportunity to visit the San Xavier Mission south of Tucson.

Susan F. Vogt, Director of the Pesticides Certification and Training Program, Washington, D.C. addressed several issues of concern such as the applicators certification and training programs, applicator certification, and status of the legislation in Congress. She spoke of state plans and programs that were evaluated and a need for states to incorporate dealer licensing programs into their state programs, all of these recommendations from the task force study. Other areas of concern were improved communications between the states and EPA and a reexamination of the resources available to the states. The EPA has the results of a survey taken of all the states regarding their programs, and these will be studied and improvements discussed where each feels it is necessary.

Lois Rossi, also of the Environmental Protection Agency, Washington, D.C. gave a thorough outline on the procedure of restricting chemicals, such as the termiticide group of chemicals.

ASPCRO President David Shriver of the Maryland Department of Agriculture presented information on the pesticide monitoring and equipment used in Maryland. Mary Ellen Setting also of Maryland followed Mr. Shriver and outlined their program as to the computerization of certification examinations.

Dr. Roger Gold, Head of the Department of Entomology, University of Nebraska made a presentation on "sampling". His presentation also included a few magic tricks.

The following state reports were submitted and are attached: North Carolina, Arizona, Delaware, Indiana, Virginia, Kansas, Michigan, Florida, Maryland, Arkansas, Ohio, Georgia, Mississippi, Texas, New Mexico, Missouri, Nevada, and New Jersey.

BUSINESS MEETING:

The nomination committee nominated the following for vice president for the ensuing year:

Vice President - James Harron . Mr. Harron accepted the nomination.

David Shriver, President and Betty Wyckoff, Secretary were elected in 1985 for a two year term.

Neil Ogg volunteered to host the next meeting in South Carolina in 1987. Dates were discussed and everyone seemed to think that September would be appropriate.

Resolutions Chairman submitted three resolutions to the members. (See attached reports)

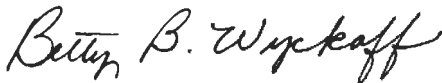
Secretary-Treasurer Betty Wyckoff submitted the treasurers report. (see attached)

A group discussion was then held. Among some of the issues discussed was whether or not each state should be required to join the association and pay a membership fee. A fee of \$50.00 was proposed. The President to follow up on this suggestion.

A questionnaire was also distributed to the members for comments on topics, registration fees, meeting sites, and subjects of interest. Also discussed was the matter of how to stimulate more interest in states that never attend - to make them more active.

The meeting was then adjourned.

Respectfully submitted,



Betty B. Wyckoff
Secretary-Treasurer

RESOLUTION
ADOPTED AT THE
ASSOCIATION OF STRUCTURAL PEST CONTROL
REGULATORY OFFICIALS MEETING
TUCSON, ARIZONA SEPT. 22-26, 1986

RESOLUTION # III

WHEREAS, the open ended time period allowing for continued use of existing stocks of suspended uses of the chlorinated cyclodiene insecticides, especially chlordane, is contributing to significant misuse and background residues that prejudice state pesticide enforcement actions, and

WHEREAS, the USEPA is currently proposing major changes in the labeling of these insecticides, and

THEREFORE, be it resolved that to end this misuse and to prevent future regulatory problems, the ASPCRO requests that the USEPA in their proposed regulatory actions, include a specific reasonable time for the phase out of insecticide products carrying suspended uses on the label.

Done this 26th day of September, 1986.

Adopted: September 26, 1986
ASPCRO Meeting

RESOLUTION
ADOPTED AT THE
ASSOCIATION OF STRUCTURAL PEST CONTROL
REGULATORY OFFICIALS MEETING
TUCSON, ARIZONA SEPT. 22-26, 1986

RESOLUTION #II

WHEREAS, the USEPA shoulders the responsibility through pesticide registration to issue the reasonably safe use of pesticides, and

WHEREAS, continued sampling of ambient air levels of termiticides in treated structures demonstrates the presence of levels that may exceed the guidelines established by the National Academy of Science, and

WHEREAS, the continuing reference to these guidance levels, in the course of civil litigation and or misuse enforcement actions, results an unacceptable ambiguity for consumers, the pesticide user industry and State pesticide regulators, and

THEREFORE, be it resolved that the Association of Structural Pest Control Regulatory Officials requests the USEPA to cooperate with the National Academy of Science to address these guidelines, as they extend beyond existing product labeling, for both short and long-term exposure to ambient air levels of termiticides.

DONE this 26th day of September, 1986.

Adopted: September 26, 1986
ASPCRO Meeting

RESOLUTION
ADOPTED AT THE
ASSOCIATION OF STRUCTURAL PEST CONTROL
REGULATORY OFFICIALS MEETING
TUCSON, ARIZONA: SEPT. 22-26, 1986

RESOLUTION # I

WHEREAS, the success of the 26th Annual Meeting of the Association of Structural Pest Control Regulatory Officials was due to the gracious hospitality, professional planning and tireless effort by the committed staff of the Arizona Structural Pest Control Board, and

WHEREAS, the Orkin Exterminating Company, Terminix International, Inc., Doyle Exterminating Company, Dow Chemical Company, Velsicol Chemical and ICI provided excellent meals and entertainment, and

WHEREAS, the Truly Nolen Exterminating Company provided beautiful door prizes; and therefore, be it resolved that Association of Structural Pest Control Regulatory Officials, through its secretary, express to all parties contributing of their time or other resources, the sincere appreciation of this organization.

Done this 26th day of September, 1986.

Adopted: September 26, 1986
ASPCRO Meeting

ASSOCIATION OF STRUCTURAL PEST CONTROL
REGULATORY OFFICIALS

FINANCIAL REPORT

PREVIOUS BALANCE	1/3/86 (James Harron)	\$ 1402.35	
	1/27/86 (Jim Arceneaux - 1985 Meeting)	1034.62	
	Dividends 3/31/86	15.46	
Paid Out:		<hr/>	
		\$ 2452.43	
	Stationery 1/20/86 \$ 209.05		
	Business Cards (Shriver) 76.65		
	Brochures - Meeting 283.50		
	<hr/>		
	\$ 569.20	569.20-	
		<hr/>	
		\$ 1,883.23	Balance
			9/1/86

Submitted by Betty B. Wyckoff
Betty B. Wyckoff, Treasurer
9/26/86

September - 1986

ASPCRO - INSURANCE

According to ASPCRO President David Shriver's directions, the following information was gleaned from a general discussion of ASPCRO's 26th Annual Meeting participants. The subject matter is insurance. The below listed topics are intended to identify the problems associated with this national crisis. It is understood that ASPCRO members may only be able to address those areas over which each particular state has jurisdiction. We realize that our principal orientation should be to lessen hurdles or handicaps which exacerbate the problem. However, the problem with all its many facets must be seen clearly before the solutions come to light. Here are the problems. Send your solutions to:

Neil Ogg, Pesticide Coordinator
Department of Fertilizer & Pesticide Control
P & A Building
Clemson University
Clemson, South Carolina 29634

1. Determining when a pesticide becomes a pollutant i.e., when applied? when contaminates non-target areas? or when any residue remains? Must be answered uniformly.

2. Insurance for the PCO industry is difficult to obtain, at best. Could each state or NPCA combine their list of underwriters and basic insurance companies to provide to ASPCRO membership? Also, can states survey insurance companies to determine how many of the lawsuits result in large settlements, i.e. assess the impact of these suits?

3. In direct contrast to the difficulty of obtaining insurance, some states are receiving requests from their PCOs to increase the insurance requirements. While reasons vary, this effectually makes it more difficult for newcomers to begin a business and limits PCO competition.

4. Insurance premium rates are increasing at an astounding geometric, rather than linear rate.

5. When states put a minimum high end coverage amount, e.g. \$500,000, it increases the number of large (\$500,000) lawsuits.

6. Even though insurance is required to protect the state's consumers, and ultimately the PCOs, the policies offered the PCO contain care, custody, and control exclusions (under your care - not covered); completed operations exclusions (all liability removed when complete job); and pollution contamination exclusions (not responsible for any pollution problems) which severely limit the protection of the PCO and damage recourses available to the consumer.

7. Should states prohibit any or all of the above exclusions?

8. Some states have passed legislation preventing abrupt cancellation of PCO insurance to prevent insurance company's dumping of policies.

September, 1986

9. Claims Made Policy, good only as long as policy was in force, versus an Occurrence Policy, which will pay for damages which occurred at any time in the past when the policy was in force. Both types of policies are offered. Some states allow only occurrence policies.

10. What do you do for companies who cannot get insurance?

11. What do you do if the insurance company will not pay a claim if the damages were a result of a misuse?

12. Will self insurance (within the state association) be a solution?

Send solutions or additional problem points to Neil.

A handwritten signature in cursive script that reads "David Shriver". The signature is written in dark ink and is positioned above the printed name.

David Shriver, President
A.S.P.C.R.O.

/DS



TY VISITORS — Nearly 50 members of the Association of Structural Pest Control Regulatory Officials visited the Doyle Exterminating Co. in Nogales recently. Above, owner Dan Doyle and his son, Danny, demonstrate a fumigation technique. Observing are Ed Ivie of Austin, Texas, and Don Alexander of Little Rock, Ark., top right, and David Shriver of Annapolis, the association's president. (Photos by FitzSimons)

Association Structural Pest Control Regulatory Officials

26th Annual Meeting

Arkansas State Plant Board

Commercial Pest Control Section Annual Report

The Pest Control Section is charged with carrying out the Arkansas Pest Control Law. Any person engaging in pest control work in Arkansas must be licensed by this section. A person licensed to perform pest control work in Arkansas must have first been fully qualified through reference checks, and passing of category and EPA Core examinations. Those persons licensed are then inspected routinely to make sure they are performing properly. The heaviest load of inspection is performed in Structural Pest Control. Other duties are investigations of unlicensed individuals performing pest control. These offenders are prosecuted with the assistance of local law officials. This section has one pest control inspector supervisor, five full time inspectors, one secretary II, and one secretary I, assigned to it for the purpose of enforcing the Pest Control Law.

Structural pest control work takes up most of our time. The Pest Control Section has set a high goal of routinely inspecting 1/3 of all work performed by the structural pest control industry. A shift in work area such as EPA Enforcement of pesticide application and uses, property owners request for inspection, follow up inspection on substandard work, and investigations of unlicensed operators has greatly inhibited accomplishment of this goal. All of the functions performed are equally as important as the 1/3 inspection. We are applying more time and frequency of inspection on companies not performing properly. We have had a substantial increase in properties treated for structural pest this fiscal year. We still have a small number of companies continuing to do the bulk of the substandard work; consequently, they are inspected closer than other companies. Over all the majority of the companies have shown improvement in their work. The same factors contribute to substandard work which is unskilled labor, lack of inhouse company control, and supervision by licensed operators.

141 licensed structural pest control companies reported 29,687 termite and other structural pest control jobs performed for the fiscal year ending June 30, 1986. A total of 7,519 properties were inspected by the staff and are broken down as follow:

- 5,273 - Jobs inspected routinely
- 541 - Jobs inspected at homeowners request
- 1,620 - Reinspections of substandard work
- 85 - Requests for prior approval of substandard work

813 reports of substandard work were issued on properties inspected routinely. 50 were found infested with termites and reports of substandard work were issued. 421 of the 541 properties inspected on request were found to be substandard. The staff feels that solving the problems associated with property owners requests is one of our most important functions. All infested or substandard work has been corrected at no further expense to the property owner.

Pest Control Hearings: Hearings before the Pest Control Committee of the Plant Board are afforded pest control operators to show cause why their licenses should not be revoked or suspended, or to state their cases in matters of dispute with the staff. 3 Companies were called in for license revocation hearings during the year. 3 Companies was placed on probation and increased surveillance was ordered by the Pest Control Committee of the staff.

Illegal Pest Control Investigations: 13 Investigations of alleged unlicensed pest control services were made. 8 warrants were obtained for individuals performing pest control work without a license. 6 Convictions with fines ranging from \$50.00 to \$600.00. Several other investigations of individuals performing pest control work without a license have been made but not enough evidence was found to prosecute.

Examinations: 223 examinations were given to 167 prospective pest control operators in one or more of the 12 classifications. 92 basic certification exams were also given during the 6 examination periods. Those meeting Plant Board requirements were issued licenses to perform work in the respective classifications.

Kind of Work	<u>Passed Exam</u>	<u>Failed Exam</u>
Basic EPA Certification	78	14
Termite & Other Structural Pest	13	21
Household Pest	18	28
Rodent Control	15	32
General Fumigation	2	1
Tree Surgery	1	1
Ornamental, Tree & Turf Pest	7	19
Weed Control	22	17
Golf Course	1	4
Pecan Pest Control	0	4
Food Mfg. Processing & Storage	5	3
Food Related Fumigation	7	2

At the present time 479 individuals have been certified and/or licensed in the 12 Plant Board categories or classifications. An individual may be certified/licensed in more than one category. Each licensed operator may register agents or solicitors to work under his direct supervision. The licensed operators have registered 1,242 agents and 58 solicitors.

EPA Enforcement: The Pest Control Section has increased output reporting under enforcement for all quarters of FY 86 grant. When pesticide application is required on a report of substandard work the reinspection or inspection is considered a use observation. 911 such pesticide use observation inspections have been performed this year, 141 use dilution samples, 29 residual samples, along with 408 record checks, and 321 pest control operator visits have been accomplished.

Although our work increased this year, we are well aware that more planning is needed for the upcoming year. Several areas of our state need more inspections because of shifts in new home construction as well as a considerable increase in work on existing homes in most of the state. We feel the public has again benefited greatly from our efforts as well as the industry serving the public.

State of Delaware
Annual Report
to ASPCRO

October 1986

Submitted by:

H. Grier Stayton

Since last year's addition of a civil penalty provision to our Pesticide Law, the Pesticide Section has developed an Enforcement Response Matrix to use in assessing fines and in determining certification suspension and revocation penalties. We have also devised a standard hearing notice format and the format for our Decision and Orders has been improved upon.

The section has gained a lot of experience in handling administrative enforcement of the statute over the past two years and is very comfortable with the process. I feel the enforcement program in place is offering fair and consistent judgements for those involved.

The training and certification process for structural pest control operators has not changed substantially. The training is still self-study and the exam is closed book. Of those taking the exam, only about 50% are passing.

Recertification training is provided mainly through the Delaware Pest Control Association and other private sources.

The Pesticide Advisory Committee has been meeting on a three month basis since its re-appointment. One of the primary issues has been the need for additional training as a prerequisite to certification renewal. Currently, eight hours every three years is required -- the Committee would like to see eight hours required every year.

The Committee has also recommended that any commercial termiticide treatment or fumigation must have two persons on site with at least one person having a commercial certificate. A decision on instituting such a regulation has been deferred until EPA makes a decision on termiticides.

The Committee would also like to see a regulation in place requiring that any commercial applicator must know what he is applying and be able to provide any interested person with safety information concerning the product. MSDS sheets would suffice.

A wood preservative subcategory has been drafted for inclusion into regulation and an exam has been developed. Delaware wishes to thank the State of Georgia for their assistance in providing both the exam and training manuals.

A draft amendment to the disposal and storage regulations has been completed and will probably be incorporated next year.

Chem Lawn has a policy in the mid-Atlantic region which requires posting of any lawn application.

ASPCRO Annual Report
October 1986
Page 2

Delaware is anxiously awaiting the outcome of the FIFRA amendments. In the meantime, revision of the State plan has begun. However, if FIFRA is amended as proposed, it looks like the revised State Plan will be obsolete before its off the printer.

If anyone wishes further information on the pesticide programs in Delaware, please let me know.

STATE OF FLORIDA
ANNUAL REPORT TO ASPCRO

SEPTEMBER 1986

The structural pest control industry in Florida is regulated by the Florida Department of Health and Rehabilitative Services' Office of Entomology by virtue of the authority granted by Chapter 482 FS and Chapter 10D-55 F.A.C.

We have completed our first year of an enforcement agreement with the EPA. We now understand what many of you have been going through over the years. The training has been of value in conducting investigations. The paper work is something you are all well acquainted with. Jim Bond has been doing a masterful job of keeping some degree of coordination over the whole process.

We have had a busy enforcement year in FY 85-86. Our eight inspectors conducted 1074 licensee inspections consisting of checking establishments for compliance with our regulations, and investigated 468 consumer complaints.

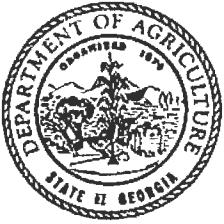
We issued 240 administrative complaints and assessed 40 fines totaling \$5,225. One ID card was denied and 27 unlicensed operators received "cease and desist" letters. The licensee inspections mentioned above resulted in 173 warning letters or notices. A form is used for this purpose.

On the licensing and certifying side, we now have 1963 licensed business locations. Each branch is licensed in Florida. They employ 18,937 ID card holders, of whom 3546 are certified operators. We had close to 2000 applicants for examination for certificate of whom 1816 were approved but only 1599 actually showed up to take the exam. The overall passing rate is about 40%.

Legislatively speaking our law was amended to channel fumigation notices to our eight inspectors instead of the 67 county health departments. This resulted in a flood of mail which all all we can do is tabulate and retain. It may be of interest to know that the southernmost 3 counties - Dade, Broward and Monroe - received 1552 fumigation notices in the month of August. These are structural fumigations for drywood termites.

We are increasing fees to allow for two more inspectors and computerization of our office in the coming year. Our operation is almost entirely fee supported with an annual budget for the coming year in excess of \$600,000. This will put us up to the maximum fees in our present law. Additional growth will require legislative amendment to the law to fund expanded enforcement.

The insurance problem is becoming acute. We require 100,000/300,000 BI and 50,000/100,000 PD for licensees. Due to new legislation limiting liability and imposing restrictions on insurance rates only a few companies are writing new policies and only if your car insurance (with high limits) is part of the package. Where it will end is uncertain at this time. It may result in modification of the insurance requirement in the law by the legislature in the coming year or so.



Department of Agriculture

AGRICULTURE BUILDING CAPITOL SQUARE
ATLANTA, GEORGIA 30334

Thomas T. Irvin
Commissioner

STATE OF GEORGIA
1986 ASPCRO REPORT
TUSCON ARIZONA

The Georgia Structural Pest Control Act of 1955 is the law which regulates Structural Pest Control Companies and Operators in Georgia. As of June 30, 1986, the end of our fiscal year there were 699 companies, 912 certified operators and 4208 registered employees.

INSPECTIONS

Wood Destroying Organism Treatments and Infestation Reports - 103,990
Fumigation - 113
Treatments Inspected - 4986
Soil Samples Analyzed - 643
Violations of Treatment Standards - 2014
Violation Rate - 40.39%
Company Inspections - 904

CERTIFICATION

Applicants - 162
Exams Given - 232
Exams Passed - 143
Exams Failed - 89
Percent Passed - 61.63%

ENFORCEMENT ACTIONS

Hearings - 32
Fines Imposed - 4 for a total of \$2150.00
Certifications Revoked - 1
Company Probation Issued - 3
Training Required - 4
(In lieu of a fine or other penalty 4 companies were required to send all of their registered employees to approved training courses. This has the effect of placing a monetary penalty on the company since most of the training that we approve for this purpose has a fee associated with attendance and provides additional training for the employees.)
Warning letters - 9

The Georgia Structural Pest Control Commission, which is composed of 3 appointed industry members, a consumer representative, and a representative each from the University of Georgia, Department of Human Resources and Department of Agriculture, is currently in the process of revising the rules of the Pest Control Act especially in the area of Wood Destroying Organism Control.

One of the main areas of discussion will be the revision of the Official Wood Infestation Inspection Report.

This report has been in use for the past 3 years and some revisions in some of the language are necessary.

Other revisions will include updating approved termiticides and treatment standards.

INDIANA REPORT

to the
Association of Structural Pest Control
Regulatory Officials
Tuscon, Arizona

September 23-26, 1986

Regulation Changes

Rule 5 (copy attached) dealing with the registration of termite inspectors and technicians and the revised training and certification requirements of structural wood destroying organism (Category 7b) applicators became effective April 1, 1986.

The major provisions of this rule, as reported last year, are:

- (1) Required registration with ISCO for all wood destroying organism for hire technicians (service technicians and inspectors/salesmen).
- (2) Completion of specified training by all technicians prior to registration. To be verified by successful completion of a workbook to be administered by ISCO. Minimum allowable training period for new employee/technician is twenty (20) days.
- (3) Only registered technicians can operate under off-site direct supervision of a fully certified and licensed Category 7b applicator.
- (4) \$25.00 initial and then \$10.00 annual registration fee per technician.
- (5) Requirements for full certification and licensing in Category 7b:
 - (a) One year as an active registered technician for a properly licensed business.
 - (b) Successful completion of an "advanced training" program in which the trainee prepares and submits to ISCO case records for inspections, applications, etc. for a minimum of fifteen (15) wood destroying organism jobs performed by him.
 - (c) 75% passing score on the Core and the 7b certification exams.

Registered Technicians (RT's)

Credential Issued:	397
% Passed Workbook/Exam:	95%
Business Employing RT's:	113
Total Category 7 Businesses:	410
RT's enrolled in advanced training leading to certification:	35

Certifications and Licenses

Category	Applicators (for hire)			Applicators (not for hire)			Public Applicator		
	84	85	86	84	85	86	84	85	86
7A-General Pest	616	644	665	42	39	37	38	37	38
7B-Termites etc.	597	619	670	23	26	25	25	21	24
7C-Food Processing	210	218	223	143	136	133	4	6	11
7D-Fumigation	114	120	114	21	88	91	0	1	2

Enforcement

Again this year the majority of structural pest control related complaints and investigations have centered around wood destroying organism inspection reports (primarily real estate transactions) and interior termiticide misapplications.

Anticipated Projects

1. Develop a wood destroying organism inspection regulation and mandatory reporting form.
2. Petition for civil penalty authority for violations of state law.
3. Start implementation process of the charges created by FIFRA revision.

**TITLE 855 STATE CHEMIST OF THE
STATE OF INDIANA**

LSA Document #85-62(F)

DIGEST

Adds 355 IAC 4-5 pertaining to the registration of technicians and conditions of advanced training as requirements leading to certification and licensing as a licensed applicator (for-hire). Effective April 1, 1986. *REVISOR'S NOTE: 355 IAC 4-5-3 was edited by changing subsection designations from lower case letters to numerals.*

355 IAC 4-5

SECTION 1. 355 IAC 4-5 is added to read as follows:

Rule 5. Training Requirements for Licensed Applicators (For-Hire) and Registered Technicians

355 IAC 4-5-1 Definitions

Authority: IC 15-3-3.6-4

Affected: IC 15-3-3.6

Sec. 1. (a) "Licensed applicator (for-hire)" means a certified individual in the employ of a licensed pesticide operator (business) (IC 15-3-3.6-2(16)) who has responsibility for the use or direct supervision of the use of pesticides by the firm and, for purposes of this rule [355 IAC 4-5], shall be certified in category 7b (355 IAC 4-1-3).

(b) "Registered technician" means an unlicensed employee of a licensed business (IC 15-3-3.6-2(16)) who, having met the requirements stated in 355 IAC 4-5-4, is registered by the state chemist and thereby authorized to carry out responsibilities in the business (including sales and inspections) while working under the direct supervision (355 IAC 4-2-1(b)) of a supervising licensed applicator (for-hire) certified in category 7b [355 IAC 4-1-3].

(c) "Advanced training program" means the program of advanced instruction required of those registered technicians preparing to take the category 7b [355 IAC 4-1-3] examination leading to certification and licensing.

(d) "Wood destroying organisms" means subterranean termites, powderpost beetles as a group, wood destroying fungi and any other wood destroying insects or organisms except carpenter bees and carpenter ants. (*State Chemist of the State of Indiana; 355 IAC 4-5-1; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-2 Licensed applicators (for-hire)

Authority: IC 15-3-3.6-4

Affected: IC 15-3-3.6

Sec. 2. (a) The supervisory responsibilities of the licensed applicator (for-hire), with regard to registered technicians, shall include:

(1) Reviewing and verifying (approving in writing) inspection reports, graphs, work plans and other sales or inspection records prepared by the registered technician.

(2) Verification of the review of inspection reports, graphs, etc. specified in 355 IAC 4-5-2(a)(1) shall be by signature of the supervising licensed applicator (for-hire) and such record shall become a part of the permanent treatment records for the site.

(b) With regard to training of employees, it shall be the responsibility of the supervising licensed applicator (for-hire) to:

(1) Ensure that the content of the training program specified in 355 IAC 4-5-4(d) is delivered (provided) to all employees who aspire for registration as technicians.

(2) Provide the guidance and supervision of the on-site hands-on activities of the advanced training program specified in 355 IAC 4-5-5 for all registered technicians who are seeking certification and licensing.

(*State Chemist of the State of Indiana; 355 IAC 4-5-2; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-3 Standards for qualification as a licensed applicator (for-hire)

Authority: IC 15-3-3.6-4

Affected: IC 15-3-3.6

Sec. 3. Qualification as a licensed applicator (for-hire) shall require the following:

(1) One year of active experience as a registered technician in the state of Indiana or another state having a comparable and verifiable technician program.

(2) Completion of an advanced training program as set forth in 355 IAC 4-5-5.

(3) The examination process described in 355 IAC 4-1-2.1.

(*State Chemist of the State of Indiana; 355 IAC 4-5-3; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-4 Registration of technicians

Authority: IC 15-3-3.6-4

Affected: IC 15-3-3.6

Sec. 4. (a) In order to register employees as technicians, the supervising licensed applicator (for-hire) engaged in the business of structural pest control

(category 7b [355 IAC 4-1-3]) shall submit an application provided by the state chemist. The postmark date shall designate the beginning of a training period of not less than twenty (20) calendar days which must elapse before registration may be granted. During this period the employee shall engage in a training program which contains, as a minimum, the subject material specified in 355 IAC 4-5-4(d). The candidate for registration shall be a full time employee at the location shown on the application form throughout the training period.

(b) The application shall be accompanied by a nonrefundable registration fee of \$25.

(c) Registration of each service technician shall expire on March 31 of each year unless renewed by payment of a \$10 renewal fee prior to April 1 of each year. Renewal after March 31 shall include a late fee of \$25 in addition to the \$10 renewal fee.

(d) The content of the training program required of those seeking to become registered technicians shall include as a minimum:

(1) Life cycles and basic biology of the following wood destroying organisms: subterranean termites, carpenter ants, powderpost beetles and wood decaying fungi. Included would be recognition of termite forms, carpenter ants, powderpost beetles as a group, the damage caused by these insects and wood decaying fungi, and conditions favoring their development.

(2) Basic information about the pesticide chemicals used for the control of these pests. Included would be common names of termiticides and the sites where they can be used, ant control insecticides, and fungicides available to prevent wood decay.

(3) Preparation procedures, application equipment, and application techniques for the control of these pests. Special attention will be given to rates of application and the principal steps in termite control. In all cases, nonchemical corrective procedures will be considered.

(4) Potential environmental consequences associated with pesticide use or misuse. Attention will be given to the importance of grade, water supplies, and applications impacting on the internal environment of structures.

(5) Federal and state laws, statutes and regulations relating to pesticide usage. Information will be limited to such rules that are germane to the conduct of a technician, including such items as disposal, limitations imposed by labels, and direct supervision.

(6) Personal safety in handling, storage and

disposal of pesticides and containers. Included would be protective clothing and equipment, dilution of concentrates, security, and disposition of empty containers and unused pesticides remaining in application equipment.

(7) Basic information regarding elements of construction likely to be encountered. The technician should be able to identify and name those elements of a structure, including heating and plumbing systems, which are of importance in carrying out termite corrective or preventive treatments, including such terms as footing, foundation wall, wall voids, sill plate, joist, subflooring, slab-on-grade. Included also will be recognition and significance of common soil types.

(8) Use of reference materials, including pesticide labels. Included would be the extent of information available on labels and the sources of information in a firm on pest biology and identification, chemical pesticides, emergency measures and control procedures for wood infesting organisms.

(e) Upon completion of the training program, but no sooner than twenty (20) days from the postmark date of the application and fee specified in 355 IAC 4-5-4(a) and 4(b), the candidate may appear at a location designated by the state chemist to complete a workbook. The workbook shall be submitted by the person in charge at the designated location to the state chemist for review.

(f) No workbook may be attempted more than twice in any twelve (12) month period. The twelve (12) month period shall commence on the date of the first attempt at the workbook.

(g) The minimum passing score for the workbook shall be 75%. When the candidate for technician registration successfully completes the workbook, the state chemist shall issue the registration credential. The registration credential shall be in the possession of the registered technician at all times the technician is at a work site as defined in 355 IAC 4-2-1(c).

(h) In the event that a registered technician leaves the employment of a licensed business:

(1) It shall be the responsibility of the immediate past supervising licensed applicator (for-hire) to notify the state chemist within ten (10) days that employment of the registered technician has terminated.

(2) Within ten (10) days of employment it shall be the responsibility of the new supervising licensed applicator (for-hire) to submit the old technician registration credential of the new employee to the state chemist and to submit a new application to register the employee. Upon notification by the state

Final Rules

chemist the employee may begin work for the new employer as a registered technician.

(i) The training and verification steps specified in 355 IAC 4-5-4(d) and 4(e) shall be required for reinstatement of registration as a technician of any person who has been inactive or unregistered for a period of two (2) years or more. (*State Chemist of the State of Indiana; 355 IAC 4-5-4; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-5 Advanced training program

Authority: IC 15-3-3.6-4

Affected: IC 15-3-3.6; IC 5-14-3-4; IC 5-14-3-10;
IC 24-2-3-2

Sec. 5. The advanced training program requirements shall be as follows: (a) To enroll in the advanced training program and to receive detailed instructions and necessary reporting forms, the candidate for the program shall make application on a form prescribed by the state chemist. This may be done at any time after becoming a registered technician. Enrollment in the advanced training program shall officially commence upon receipt by the state chemist of the signed form contained in the program packet which states that the materials have been received, read and understood by the candidate for advanced training.

(b) The owner/operator (IC 15-3-3.6-6) of the licensed business shall designate a licensed applicator (for-hire) who shall provide the on-site guidance and supervision of the activities of the advanced training program described in 355 IAC 4-5-5.

(c) Once enrolled in the program, the registered technician, under the on-site supervision of the designated licensed applicator (for-hire) shall make diagnostic inspections, prepare reports of said inspections, prepare graphic representations of properties and treatment proposals, treat structures and submit follow-up reports including pesticide use records.

(d) For each structure treated, the registered technician shall submit the case records specified in 355 IAC 4-5-5(c) to the state chemist within fifteen (15) days of completion of the treatment of the structure. All such case records shall be considered trade secrets, as defined in IC 24-2-3-2, and shall not be made available to the public, in accordance with IC 5-14-3-4(a)(4). Knowing or intentional disclosure of such information is a Class A misdemeanor, as provided for in IC 5-14-3-10.

(e) The information specified in 355 IAC 4-5-5(c) shall be submitted by the registered technician for a minimum of fifteen (15) properties treated by the registered technician. The variety and distribution of

construction styles where subterranean termites are the pest organism shall include: concrete slab, crawl-space, and basement (four cases each), preconstruction treatment (one case), dirt-filled porch (one case), fireplace (one case), masonry veneer (one case), and private water supply (one case).

(f) The information specified in 355 IAC 4-5-5(c) shall be submitted by the registered technician for three (3) properties where a wood destroying pest organism, other than termites, is involved.

(g) Incomplete or inadequate case records shall not be counted toward the totals required in 355 IAC 4-5-5(e) and 5(f) of this section.

(h) During the advanced training program the core examination (355 IAC 4-1-2.1(b)) may be taken. The category 7b examination (355 IAC 4-1-2.1(c)) may not be attempted until the advanced training program is satisfactorily completed. (*State Chemist of the State of Indiana; 355 IAC 4-5-5; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-6 Unlicensed employees

Authority: IC 15-3-3.6-4

Affected: IC 15-3-3.6

Sec. 6. All unlicensed employees, including both registered technicians and non-certified applicators must use pesticides for the control of wood destroying organisms in or around structures belonging to another only under supervision of a licensed applicator (for-hire) certified in category 7b [355 IAC 4-1-3]. In the case of registered technicians, use of pesticides for control of wood destroying organisms shall occur under direct supervision as defined in 355 IAC 4-2-1(b). All other unlicensed and uncertified employees shall handle, use, or apply pesticides or devices for the control of wood destroying organisms in or around structures belonging to another only under direct on-site supervision of a licensed applicator (for-hire) certified in category 7b [355 IAC 4-1-3] as provided for in 355 IAC 4-2-1(b)(1). (*State Chemist of the State of Indiana; 355 IAC 4-5-6; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-7 New resident applicators; requirements

Authority: IC 15-3-3.6-4

Affected: IC 15-3-3.6

Sec. 7. Newly established residents of Indiana may be considered for a temporary license under the following terms and conditions: (a) The applicant shall provide documented evidence of two (2) years of active employment within the past four (4) years as a licensed

applicator in structural pest control, including wood destroying organisms, in another state.

(b) The pesticide regulatory agency of that state shall attest that the applicant has left behind no unresolved problems with that agency or in that state concerning matters of pesticide regulation.

(c) The applicant shall agree to accept a temporary license in category 7b [355 IAC 4-1-3] through the first wood destroying organism season during which time he/she shall submit to the state chemist all case records of current work as described and required by 355 IAC 4-5-5(c) and 5(d). In the event that case records are not provided or are found to be inadequate, or any violation of IC 15-3-3.6 has been documented, the temporary license shall not be renewed and the applicant shall complete the requirements specified in 355 IAC 4-5. (*State Chemist of the State of Indiana; 355 IAC 4-5-7; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-8 Nonresident applicators; requirements

Authority: IC 15-3-3.6-4
Affected: IC 15-3-3.6

Sec. 8. The state chemist may extend reciprocity (IC 15-3-3.6(22)) only to those non-resident applicators from states having requirements similar to those of Indiana as set out in IC 15-3-3.6, 355 IAC 4-1-3 and 355 IAC 4-5 for licensing applicators for wood destroying pest control (category 7b (355 IAC 4-1-3)). (*State Chemist of the State of Indiana; 355 IAC 4-5-8; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-9 Denial of application for technician registration

Authority: IC 15-3-3.6-4
Affected: IC 4-22-1; IC 15-3-3.6

Sec. 9. (a) Failure to fulfill the requirements specified in 355 IAC 4-5-4 shall be grounds for denial of application for registration as a technician.

(b) Any violation of IC 15-3-3.6 or the rules promulgated thereunder shall be grounds for modification, suspension or revocation of registration as a technician.

(c) Actions contemplated under 355 IAC 4-5-9(a) and 9(b) shall be subject to the requirements of IC 15-3-3.6-14 and 15 and the administrative adjudication act, IC 4-22-1. (*State Chemist of the State of Indiana; 355 IAC 4-5-9; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-10 Denial of the opportunity to take the category 7b (355 IAC 4-1-3) examination

Authority: IC 15-3-3.6-4
Affected: IC 4-22-1; IC 15-3-3.6

Sec. 10. (a) Failure to submit case records as specified in 355 IAC 4-5-5(c), 5(d), 5(e) and 5(f) shall be grounds for denial of the opportunity to take the category 7b [355 IAC 4-1-3] examination.

(b) Any determination by the state chemist that the submitted case records are inadequate shall be grounds for denial of the opportunity to take the category 7b (355 IAC 4-1-3) examination.

(c) The denial of the opportunity to take the category 7b [355 IAC 4-1-3] exam shall be treated as a denial of a certification, and is subject to the requirements of IC 15-3-3.6-14 and 15 and the administrative adjudication act, IC 4-22-1. (*State Chemist of the State of Indiana; 355 IAC 4-5-10; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-11 Exemption

Authority: IC 15-3-3.6-4
Affected: IC 15-3-3.6

Sec. 11. All persons having completed the requirements for certification and licensing as a licensed applicator (for-hire) and having been issued valid credentials as of the effective date of 355 IAC 4-5 are exempt from 355 IAC 4-5-3. (*State Chemist of the State of Indiana; 355 IAC 4-5-11; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

355 IAC 4-5-12 Effective date

Authority: IC 15-3-3.6-4
Affected: IC 15-3-3.6

Sec. 12. For purposes of training and preparation for compliance, the effective date of 355 IAC 4-5 shall be upon promulgation. For purposes of enforcement, the effective date of 355 IAC 4-5 shall be April 1, 1986. (*State Chemist of the State of Indiana; 355 IAC 4-5-12; filed Feb 17, 1986, 3:00 pm, eff Apr 1, 1986*)

LSA Document #85-62(F)

Proposed Rule Published: June 1, 1985; 8 IR 1176

Hearing Held: July 2, 1985

Approved by Attorney General: February 7, 1986

Approved by Governor: February 14, 1986

Filed with Secretary of State: February 17, 1986, 3:00 pm

Incorporated Documents filed with Secretary of State, Revisor of Rules, and Attorney General: None

STATE OF KANSAS



STATE BOARD OF AGRICULTURE

HARLAND E. PRIDDLE, Secretary

STATE OF KANSAS

ANNUAL REPORT TO ASPCRO

July 1, 1985 - June 30, 1986

The Kansas State Board of Agriculture is assigned responsibility for regulating the sale, use and distribution of pesticides under statutory authority granted by the Kansas Pesticide Law (K.S.A. 2-2438a et seq.), the Agricultural Chemical Act (K.S.A. 2-2201 et seq.) and the Kansas Chemigation Law (K.S.A. 2-3301 et seq.). Structural pest control operators are licensed, certified and regulated under the Kansas Pesticide Law.

To become commercially certified, an individual applicator must pass a general standards (core) examination plus additional examinations in the areas in which he plans to apply restricted use pesticides, such as Structural Pest Control, Wood Destroying Pest Control, etc. He must also submit a completed application form and a \$50 application fee. Certification is good for three years and may be renewed by retaking the exams or by attending one approved training session for each area of certification during the effective period of the certificate. Continuing education units are not issued or accepted.

Business licenses are issued on a calendar year basis to pesticide applicator businesses. To become licensed, the business must employ at least one applicator who is certified in the category(-ies) for which the license is issued. The business must submit a completed application form, application fees of \$75 per category plus \$10 for each uncertified pesticide applicator, and proof of minimal financial responsibility in the form of liability insurance or a surety bond. The bond must be at least \$6,000. A liability insurance policy must provide coverage for at least \$25,000 per occurrence for bodily injury and \$5,000 per occurrence for property damage with not more than a \$500 deductible clause for each occurrence. A business license is required for any business entity that applies pesticides commercially.

Violations of the Kansas Pesticide Law such as operating without a license, applying a pesticide in a manner inconsistent with it's label or labeling, etc., are Class A misdemeanors subject to criminal penalties up to one year in jail and/or a \$2,500 fine for each occurrence. The Board of Agriculture does not have civil penalty authority.

At the present time we have 1,058 licensed pesticide applicator businesses and approximately 40% of these are involved in structural pest control work. There are 3,500 certified commercial applicators in ten categories (1,700 in structural pest control) and 22,000 certified private applicators.

The Kansas Pesticide Law has remained essentially unchanged since it was passed by the legislature in 1976. Prior to that time, termite and structural pest control were regulated by the Kansas Pest Control Act of 1953 while all other areas of pesticide use were covered by the Pesticide Use Law enacted in 1970.

Prior to 1983, three separate divisions of the Kansas State Board of Agriculture were involved in regulating pesticides. The Control Division registered pesticide products, the Weed and Pesticide Division regulated agricultural uses of pesticides, and the Division of Entomology regulated ornamental and turf applicators and pco's. With the recent reorganization of the agency, all pesticide regulatory functions have been assigned to the Division of Plant Health. The Pesticide Use Section certifies pesticide applicators, licenses businesses, and investigates complaints against pesticide applicators in all categories. This section also administers the newly enacted Chemigation Safety Law. The Pesticide Registration Section registers pesticide products and pesticide dealers, and also regulates bulk pesticide storage facilities.

The Pesticide Use Section has eight field investigators whose primary responsibility is investigating complaints against pesticide applicators. All investigations are fully documented to support criminal action by county or district attorneys, agency administrative action or civil action by EPA. In the fiscal year which ended on June 30, 1986, 195 complaints were received statewide. Eighty-six of these involved structural pest control.

Organizational Chart

KANSAS STATE BOARD OF AGRICULTURE
PLANT HEALTH DIVISION
109 S.W. 9th Street
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DIRECTOR

Dale Lambley
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Contact:
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Pesticide Use

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Pesticide Records Center

Betty Z. Dey
(913) 296-2142

Program
Duties:

Plant Pest & Disease Surveys
Nursery Inspection Certification
Nursery Dealer Licensing
Export Grain Inspections
Export Plant Inspections
Honey Bee Inspections
Bio-Control Programs
Noxious Weed Control

Product Registrations
Dealer Registrations
Marketplace Inspections
24(c)/SLN Registrations
Section 18/Emergency
Exemption Registrations
E.U.P. Programs
Bulk Pesticide Storage and
Handling

Business Licensing
Applicator Certification
Government Agency Registration
Misuse Investigations
Chemigation Programs

During the 1986 legislative session, a bill was introduced on behalf of the Kansas Termite and Pest Control Association which would have amended the Kansas Pesticide Law. The proposed amendment would have permitted pesticides to be used at less than label rates, raised the minimums for surety bonds and liability insurance, and required all commercial applicators to be certified. These proposals were introduced late in the session and failed to get out of committee. Legislation requiring certification of all technicians in termite control and structural pest control is being considered and may be introduced on behalf of the state pest control association when the legislature reconvenes in January. The Board of Agriculture strongly supports this concept.

New regulations have been adopted recently to add two new subcategories of commercial certification: Category 1(c) - Wildlife Damage Control and Category 7(f) - Wood Preservation and Wood Products Treatment. Wildlife Damage Control covers applicators who use or supervise the use of restricted use pesticides for the control and management of non-domesticated vertebrates in rangeland and agricultural areas. This subcategory includes such uses as prairie dog control on rangeland, starling control around cattle feed lots, coyote control, etc. The Wood Preservation subcategory was developed in response to EPA's classification of creosote, pentachlorophenol and inorganic arsenical compounds as restricted use pesticides. A "Kansasized" version of the Georgia manual will be used as a study guide.

Although not dealing with structural pest control, a new statute passed by the 1985 session of the Kansas legislature may be of interest. The Chemigation Safety Law was enacted in an effort to protect the state's groundwater resources. The law requires those farmers who apply pesticides, fertilizers or other chemicals through their irrigation systems to register with the Board of Agriculture, install certain anti-pollution devices in the irrigation systems, and maintain records of all chemicals applied via "chemigation." The required anti-pollution devices are intended to prevent chemicals from being back-siphoned into the well or other source of irrigation water.



W. A. Hawkins, Jr.
Administrator
Pesticide Use Section
Division of Plant Health



Harry Hughes
Governor
Joseph Curran, Jr.
Lt. Governor

Wayne A. Cawley, Jr.
Secretary
Hugh E. Binks
Deputy Secretary

STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
Association of Structural Pest Control Regulatory Officials
Tucson, Arizona
September 22-26, 1986

Maryland Report
David Shriver, Chief
Pesticide Applicators Law Section

1. REGULATION REVISIONS

The Regulations pertaining to the Maryland Pesticide Applicators Law were revised and went into effect December, 1985. Highlights of the revisions include requirements for pesticide service containers to be labeled, commercial pest control vehicles must display the business name, pesticide dealers must keep records of restricted use pesticide sales, private applicators will be certified by taking a closed book exam, pest control consultants must be certified and licensed. Category XI, Miscellaneous Pest Control, was developed to include any type of pest control not previously covered. Standards have been developed which outline requirements for performing inspections for pests.

2. PESTICIDE LEGISLATION

Legislation passed in 1986 which will require registered employees to complete a training program approved by the Department within 30 days of employment. Regulations are being developed which will include training standards for registered employees. Legislation will be submitted this year to require restricted use pesticide dealers to obtain a permit and pay a \$25 permit fee, to provide provisions for civil penalties, to require employees of certain businesses to become certified to apply any pesticide to business property, and to require the holder of an experimental use permit to provide certain information to the Department. When a pesticide is applied, commercial pesticide applicators will be required to provide certain information to the customer.

3. CERTIFICATION

A total of 5,951 private applicators and 2,163 commercial applicators are currently certified. Seven hundred-thirty-one Category VII certification examinations were administered to pesticide applicators in the last year. One hundred applicators received certification in this category bringing the total number of structural pesticide applicators to 1,064.

4. PESTICIDE SURVEY

The Department contracted with the Maryland Delaware Crop Reporting Service to conduct a pesticide usage survey. Private and commercial applicators were asked to report the product names and amounts of pesticides they applied in 1985. The results of the survey will be published in the near future.

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50 HARRY S. TRUMAN PARKWAY, ANNAPOLIS, MARYLAND 21401

5. PESTICIDE MONITORING

A specially equipped van has been purchased and is being used as a mobile laboratory for monitoring pesticide programs. The State Highway Administration's use of 2,4-D has been monitoring for the last two years. The use of malathion by the Department's Mosquito Control Section will be monitored over the next two years. In addition, the van is used as an enforcement tool for consumer complaints and misuse investigations.

6. GROUND WATER

The Department recently prepared and submitted a Ground Water Protection Strategy to the Legislature for the Governor's Ground Water Protection Task Force. The Department has formed a Ground Water Protection Committee to review ground water issues related to agriculture.

7. ENFORCEMENT

Approximately 87 written consumer complaints were received during the last year. Forty-three complaints involved wood destroying insect inspection reports and improper treatment procedures. Twenty-seven cases of Non-Agricultural misuse were investigated as well as three cases of Agricultural misuse. Thirteen complaints were a result of drift from ornamental, turf, and right-of-way pesticide applications. Two cases were taken to the State's Attorneys' Office on charges of operating a pest control business without a license. Four administrative hearings and fourteen investigational conferences were held. Forty-eight notices of warning were issued. Seven hundred and twenty businesses and 277 dealers were inspected during the past year.

STATE OF MICHIGAN



COMMISSION
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DEPARTMENT OF AGRICULTURE

P.O. Box 30017, Lansing, Michigan 48909

PAUL E. KINDINGER, Director

**MICHIGAN STATE REPORT
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
TUCSON, ARIZONA
SEPTEMBER, 1986**

1985-6 has been a year of change for the Michigan Department of Agriculture (MDA). The Plant Industry Division has changed its name to Pesticide and Plant Pest Management Division in order to more accurately reflect division priorities and responsibilities. It is anticipated that the change will facilitate the process by which consumers register their complaints. In addition to the name change, there has been lengthy discussions concerning the establishment of a new pesticide division or "section" within the Department of Agriculture. Currently, the reorganization plan provides for a pesticide section within the Pesticide and Plant Pest Management Division with the authority and responsibility for all pesticide programs delegated to the program manager in Lansing. It is uncertain if the reorganization will satisfy the mandate of a separate section or division.

MDA was also impacted by the Governor's Council Report on Environmental Protection "A Strategy for Improved Pesticide Management in Michigan". The report made 47 recommendations in 11 issue areas in which MDA is the lead agency for implementing and developing guidelines for a majority of the recommendations. The 11 issue areas addressed were 1) public exposure to pesticides, 2) certification of applicators, 3) aerial application, 4) pest management and reduction of pesticide use, 5) pesticide registration and restricted use, 6) notification of pesticide applications, 7) pesticide product constituents, 8) worker protection, 9) residue monitoring, 10) law enforcement, and 11) pesticide waste disposal. Thus far MDA has recommended amendments to the Michigan Pest Control Act 171 which will allow for 1) increased criminal fines to \$5,000, 2) establish administrative fines up to \$1,000, 3) require the application of restricted use pesticides by or in the presence of a certified applicator, and 4) establish criteria for an "experience requirement" which will be a prerequisite for obtaining a commercial pesticide applicators license. Enclosed you will find the proposed action plan outline which is still in the committee stage.

It is also noteworthy to mention that at the request of the Governor's office, MDA initiated an investigation into chlordane use in Michigan. It was alleged that residential ambient air and well water was contaminated with chlordane. The subsequent investigation did not support the allegations, although the ambient air samples were inclusive and additional sampling was recommended. The study also recommended additional funded research to determine chlordane uses and the impact of resulting residues. Based on the current study, no recommendation for chlordane registration suspension was proposed. Prior to the investigation, chlordane was placed on the restricted use pesticide list.

As reported in 1985, MDA proposed a regulation on pesticide use which would have informed the pesticide applicator on how the department would interpret and enforce labeled pesticide use. The regulation was to address pesticide use by outdoor applicators, structural PCO's and the use of termiticides. The regulation went through the public hearing process and preliminary hearings before the Legislative Joint Rules Committee. It was at the Joint Rules Committee hearings that objections were raised by the West Michigan Environmental Action Council and migrant farm laborers. Because of their concerns and objections, the regulation has been withdrawn. After meeting with the dissenting groups, it was determined that MDA should propose a new regulation and initiate the public hearing process. It is anticipated that this process will commence in the fall of 1986.

ACTION PLAN OUTLINE

Recommend Number	Recommendation	Lead Agency	Cooperating Agencies	Proposed Action	Target Date	Funding Required ?
I-A-1	Mgmt./policy Guidelines	MDPH	MDA, MDNR, MDOT, MSU, MDE	Develop Guidelines	8/86	N
I-A-2	Pest. Control Act Amend.	MDA	MDPH, MDNR	Amend Act	12/86	N
I-A-3	PCA, Public Health Code Amend.	MDPH	MDA, MDNR	Amend Act(s)	12/86	N
I-B	Establish Pesticide Section	MDA		Develop Reorgan. Plan	10/86	Y
I-C	Annual Prg. Review	MERB	MDA, MDPH, MDOT, MDNR	Institute Review	3/86	N
I-D	Hypersensitivity Review	MDPH	Local HD, MDA, TSCC, MSU	Form Review Comm.	6/86	Y
I-E	Pesticide Poisoning Incid. Reporting Systeem	MDPH	Local HD, MDA, MDNR	Develop System Plan	10/86	Y
I-F	Interagency Pesticide Label Rev.	MDA	MDNR, MDPH, TSCC	Reinstitute Review	4/86	Y
I-G	CEHS/MDPH Staffing Increases	MDPH		Increase Personnel	10/86	Y
II-A	Educational Programs	MSU	MDA, MDPH, MDNR	Develop Programs	7/86	Y
II-B	Alternative Training Programs	MDA	MSU	Develop Alternatives	9/86	Y
II-C	Establish Instructor Category	MDA	MSU	Establish New Category	10/86	Y
II-D	Additional Training	MSU	MDA, MSU, MDPH, DSS	Provide Training	10/86	Y
II-E	Medical Education	MDPH	MSMS, MSU	Provide Information/Train	6/86	Y
III-A	Additional Applicator Training	MSU	MDA, MAAA	Provide Training	5/86	Y
III-B	Adopt NAAA Project SAFE	MDA	MAAA, MSU	Add Cert. Requirement	5/87	N
III-C	Aerial Applic. Apprenticeship	MDA	MAAA, MSU	Develop Program	5/87	N
IV-A	IPM Research and Extension	MSU	MDA, MDNR, MDPH, MDOT	Fund Research	10/86	Y
IV-B	State IPM Implementation	Gov.	MDPH, MDNR, MDOT, MDA	Executive Directive	3/86	Y
IV-C	IPM Training for CES Staff	MSU		Provide Training	6/86	Y
IV-D	Encourage IPM in Private Sector	MDA	MDC, CC, MSU,	Develop Economic Incentives	1/87	N
IV-E	Identify Programs Which Overuse Pesticides	MDA	MDNR, MDPH, TSCC, MDOT, MSU	Alter Current Programs	4/86	Y
IV-F	Review Impacts of Chemigation	MDPH	MDNR, MDA, MSU, MPA	Determine Impacts and Propose Regulations	9/86	Y
V-A	Improve RUP Registration	MDA		Amend Act	1/87	N
V-B	Encourage USEPA to Expedite the Pesticide Reregistration process	Gov.	MDPH, MDA, MDNR, TSCC	Petition Agency	2/86	N

V-C	Re-entry Standards	MDA	MDPH, MDL	Adopt Standards	8/86	Y
VI-A	Develop Registry of Hypersensitive Individuals	MDPH	Local HD	Develop Registry	10/86	Y
VI-B	Public Pesticide Education	MDPH	MDA, MDNR, MSU	Develop Educ. Materials	9/86	Y
VI-C	Review Posting of Public Bldgs.	MDPH	MDA, TSCC	Establish Review Comm.	4/86	N
VI-D	Notification Procedures	MDPH	MDA, TSCC, MDL	Develop Procedures	10/86	Y
VII-A	Comments to USEPA re. Inerts	MDNR	MDPH, MDA, Exec. Off.	Provide Comments to USEPA	2/86	N
VII-B	Require Constituent Info.	MDA		Amend Act/Rules	1/87	N
VIII-A	Special Hazard Pesticide List	MDPH	MDA, MSHS, TSCC	Develop List	7/86	Y
VIII-B	Exposed Worker Info.	MDPH	MDA, MDL	Develop Regulations or Propose Legislation	12/86	Y
VIII-C	Establish Health Monitoring Programs for Exposed Workers	MDPH	MDA, MARCHA	Develop Program	4/87	Y
VIII-D	Field Sanitation Requirements	MDL	MDA, MDPH	Adopt Requirements	3/87	N
VIII-E	Field/Greenhouse Posting	MDA	MDPH, MSU	Establish Review Comm.	4/86	N
VIII-F	Central Information Access	MDPH	MDA, MDNR, MSU, TSCC	Develop Info System	10/86	Y
IX-A	Pesticide Use Survey	MDA	MSU	Fund Survey	12/86	Y
IX-B	Publish Monitoring Data	MDA	USFDA	Publish Data	6/86	Y
IX-C	Environmental Monitoring Program	MDNR	MDPH, MDA	Fund Program	10/86	Y
X-A	Increase Penalties for PCA Viol.	MDA		Amend Act	1/87	N
X-B	Employ Bilingual Enforcement Staff	MDA		Employ Bilingual Staff	10/86	Y
X-C	Require 24 Hr. Response	Gov.	MDNR, MDPH, MDOT, MDA	Executive Directive	2/86	Y
X-D	Enforce Protective Clothing	MDA	MDPH	Increase Enforcement Action	4/86	Y
X-E	Storage/Display Requisitions	MDA		Promulgate Rules	1/87	N
XI	Methods for Residuals and Pkgs.	MDNR	MDA, MDPH, TSCC, MSU	Develop Disposal Methods	10/86	Y

CC = State Chamber of Commerce
 Gov. = Executive Office of the Governor
 MAAA = Mich. Agric. Aviation Assoc.
 MARCHA = Migrant and Rural Community Health Assoc.
 MDA = Mich. Dept. of Agriculture
 MDC = Mich. Dept. of Commerce
 MDOT = Mich. Dept. of State Highways & Transportation

MDL = Mich. Department of Labor
 MDNR = Mich. Dept. of Natural Resources
 MDPH = Mich. Dept. of Public Health
 MDSS = Mich. Dept. of Social Services
 MSMS = Mich. State Medical Society
 MSU = Mich. State University
 TSCC = Toxic Substance Control Commission

Mississippi

TABLE 2A

ACTIVITIES UNDER THE REGULATIONS OF PROFESSIONAL SERVICES ACT

LICENSE CATEGORIES

1. Control of Termites and Other Structural Pests
 2. Control of Pests in Homes, Businesses, and Industries
 3. Control of Pests of Ornamental Plants, Shade Trees, and Lawns
 4. Tree Surgery
 5. Control of Pests of Orchards
 6. Control of Pests of Domestic Animals
 7. Landscape Gardening
 8. Control of Pests of Pecan Orchards
 9. Control of Pests by Fumigation
 10. Agricultural Pest Control
- A. Agricultural Weed Control
 - B. Aquatic Weed Control
 - C. Forest and Right-Of-Way Weed Control
 - D. Ornamental and Turf Weed Control
 - E. Industrial Weed Control

LICENSING ACTIVITIES

License Category	Applications Received	Passed Exams	Failed Exams	New Licenses Issued	Licenses Current June 30, 1986
1.	40	22	12	21	330
2.	60	34	18	33	359
3.	20	10	5	10	94
4.	22	13	4	23	108
5.	2	1	0	0	13
6.	0	0	0	0	6
7.	35	18	14	23	435
8.	5	2	0	4	27
9.	10	4	3	15	44
10.	3	3	0	3	5
A.	10	5	2	6	29
B.	4	2	1	4	23
C.	18	11	4	13	45
D.	18	17	0	11	67
E.	10	7	1	9	47
TOTALS	257	149	64	175	1,632

Number of new identification cards issued to employees of licensed companies----- 516

TABLE 2A

(Continued)

PERMITS

A permit shall mean a document issued by the Division indicating that a person has thorough understanding of the pest or pests that a licensee is licensed to control and is competent to use or supervise the use of a restricted use pesticide under the categories listed on said document at any branch office. A permit is not a license.

PERMIT CATEGORIES

1. Control of Termites and Other Structural Pests
 2. Control of Pests in Homes, Businesses, and Industries
 3. Control of Pests of Ornamental Plants, Shade Trees, and Lawns
 4. Tree Surgery
 5. Control of Pests of Orchards
 6. Control of Pests of Domestic Animals
 7. Landscape Gardening
 8. Control of Pests of Pecan Orchards
 9. Fumigation
 10. Agricultural pest control
-
- A. Agricultural Weed Control
 - B. Aquatic Weed Control
 - C. Forest and Right-Of-Way Weed Control
 - D. Ornamental and Turf Weed Control
 - E. Industrial Weed Control

PERMITS ISSUED

	<u>New Permits Issued</u>	<u>Permits Current June 30, 1986</u>
Category 1.	8	23
Category 2.	10	27
Category 3.	0	0
Category 4.	0	0
Category 5.	0	1
Category 6.	0	0
Category 7.	0	0
Category 8.	0	1
Category 9.	1	1
Category A.	0	0
Category B.	0	0
Category C.	2	3
Category D.	0	0
Category E.	0	0

TABLE 2A
(Continued)

STRUCTURAL PEST CONTROL TREATMENTS REPORTED BY LICENSED COMPANIES

<u>KIND OF TREATMENT</u>	<u>KIND OF STRUCTURE</u>
Termite -----22,023	Crawl Space-----5,390
Termite (preconstruction)----- 9,681	Slab-----5,422
Beetle-----146	Combination Crawl & Slab--1,963
Other-----287	New Construction----- 9,681
Inspections Made of Properties Treated for Structural Pests ---508	
Treatments Found to Be Satisfactory-----245	
Treatments Found to Be Unsatisfactory-----174	
Houses Inspected that had not been treated----- 89	
Action Taken Against Persons In Court-----4	
Court Fines Assessed-\$1,044 and 210 days of jail	
Court Fines Suspended-\$456.50 and 210 days of jail (suspended)	

TABLE 4
COMMERCIAL PESTICIDE APPLICATORS CERTIFIED
July 1, 1985 - June 30, 1986

	Total	Cumulative Total
Number of training and testing sessions held --	36	328
Number of people passing exam for General Standards (Core Manual) -----	132	3,821

CATEGORY	Total	Cumulative Total
1. Agricultural Plant -----	24	264
Agricultural Animal -----	5	210
2. Forest -----	53	816
3. Ornamental -----	52	700
4. Seed Treatment -----	1	121
5. Aquatic -----	4	145
6. Right-of-Way -----	15	267
7. Industrial, Institutional, Structural and Health Related -----	90	611
8. Public Health -----	6	307
9. Demonstration and Research -----	17	909
10. Aerial Application -----	10	834
11. Wood Preservation and Wood Products Treatment-----	18	89
Total Passing Category Exams for Certification	295	5,273

COMMERCIAL PESTICIDE APPLICATORS RECERTIFIED

CATEGORY	Total	Cumulative Total
1. Agricultural Plant -----	78	458
Agricultural Animal -----	52	394
2. Forest -----	79	537
3. Ornamental -----	89	450
4. Seed Treatment -----	16	129
5. Aquatic -----	17	139
6. Right-of-Way -----	43	219
7. Industrial, Institutional, Structural and Health Related -----	289	1,152
8. Public Health -----	46	265
9. Demonstration and Research -----	105	642
10. Aerial Application -----	357	357
11. Wood Preservation and Wood Products Treatment-----	3	4
Total Number Recertified -----	1,174	4,746

Registered Technicians (RT's)

Credential Issued:	397
% Passed Workbook/Exam:	95%
Business Employing RT's:	113
Total Category 7 Businesses:	410
RT's enrolled in advanced training leading to certification:	35

Certifications and Licenses

Category	Applicators (for hire)			Applicators (not for hire)			Public Applicator		
	84	85	86	84	85	86	84	85	86
7A-General Pest	616	644	665	42	39	37	38	37	38
7B-Termites etc.	597	619	670	23	26	25	25	21	24
7C-Food Processing	210	218	223	143	136	133	4	6	11
7D-Fumigation	114	120	114	21	88	91	0	1	2

Enforcement

Again this year the majority of structural pest control related complaints and investigations have centered around wood destroying organism inspection reports (primarily real estate transactions) and interior termiticide misapplications.

Anticipated Projects

1. Develop a wood destroying organism inspection regulation and mandatory reporting form.
2. Petition for civil penalty authority for violations of state law.
3. Start implementation process of the charges created by FIFRA revision.

MISSOURI REPORT
TO
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
Tucson, Arizona - September 23, 23, 25 and 26, 1986
BUREAU OF PESTICIDE CONTROL

Missouri will complete its tenth year of regulating the sale and use of pesticides on October 21, 1986.

The Bureau of Pesticide Control is responsible for the maintenance of the Missouri Pesticide Use Act and the Missouri Pesticide Registration Act. There are approximately 3,500 commercial, noncommercial and public operators and 40,000 private applicators certified and licensed to use pesticides in the state. Currently, we have about 1,100 dealers licensed to sell restricted use pesticides.

The regulations authorized by the Pesticide Use Act provide for applicators to be licensed and certified in thirteen categories and subcategories. The number of applicators by category is approximately the same as reported in past years.

During the past fiscal year, there have been six criminal misdemeanor cases filed in Associate Circuit Courts throughout the state which involved misuse or applying pesticides without proper license. Six hearings before the Director of Agriculture were held to allow for presentation of findings of violations which supported revocation, suspension or modification of a license. All twelve cases were related to structural pest control.

During 1985 - 1986, there were approximately 7,165 inspections involving use, license, records and marketplace. An additional 127 complaints of pesticide misuse were investigated. Where minor violations occurred, warning letters were issued to the applicator involved.

STATE OF NEW MEXICO
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
1986

Lonnie Mathews
New Mexico Department of Agriculture

There have not been any changes or additions to New Mexico's pesticide laws or regulations in 1986. However we have had an unique situation occur in which some of our pest control operators are fumigating for the Imported Fire Ant (IFA) even though we are 300 miles from the closest infestation. The state of Arizona has a quarantine against the IFA and inspects all traffic especially trucks at their ports of entry. If any ants are found, regardless of a positive identification, the trucks are not allowed to proceed but are instructed to leave the state of Arizona to be fumigated. Arizona does not allow any fumigation in their state as they believe the IFA could become established there. The trucks are sent back to New Mexico for fumigation of commodities or freight that is on board.

The fumigation of commodities is how we became involved through a Section 27 referral from EPA. The Food and Drug Administration in California had reports that commodities not listed on the pesticide label were being fumigated. Some of the commodities included refrigerated and frozen foods. During our record checks of the pest control operators doing the fumigations we did not find any FIFRA violations. However, it is a violation of the New Mexico law as we do not recognize the 2(ee) amendment which allows for the application of a pesticide for an unnamed target pest.

We feel the fumigation for the IFA should be in Arizona at the port of entry where it would be under the constant supervision of the Arizona inspectors at the port of entry. We cannot afford to station an inspector at the New Mexico border to supervise the fumigation. We hope to resolve this situation with Arizona in the near future.



New Jersey Department of Environmental Protection

Research Report:
New Jersey
Pesticide Disposal Project

PESTICIDE DISPOSAL PROJECT

Raymond Ferrarin¹

Mark Robson²

Frances Gerding³

BUREAU OF PESTICIDE CONTROL
DIVISION OF ENVIRONMENTAL QUALITY
DEPARTMENT OF ENVIRONMENTAL PROTECTION

- ¹ Bureau Chief
- ² Research Scientist II
- ³ Senior Environmental Specialist

Pesticide Disposal Project*

I. OVERVIEW

The project involved the organization and implementation of a "Local Pesticide Collection System" for the disposal of unwanted or unusable pesticides which will offer the homeowner a practical option for the disposal of these toxic materials. Such a system will help minimize the potential hazards such as spills or fires associated with the storage of toxic substances by providing a safe, legal, and environmentally sound avenue of disposal.

Prior to this, New Jersey homeowners attempting to properly dispose of small quantities of unwanted pesticides were faced with no option other than wrapping the containers in newspapers and disposing of them in the "regular" trash system, as provided by State and Federal regulations. The potential for environmental contamination of the landfills if many residents follow this practice is great. Also the public reaction to such a procedure is quite negative.

The project generated research data to determine the need and scope for such a disposal program. The project served as a pilot program for other organizations and agencies to pursue, if the need was justified. Data concerning the mechanics of pesticide collection was also generated in order to implement efficient procedures for future disposal projects. This project report is to serve as a "how to" brochure for government agencies, industry, and the interested public.

Seven Disposal Days were held on mutually agreed upon times between the Department and the county between May of 1985 and April of 1986.

The program was open to homeowners and farmers. Only pesticides and other household hazardous wastes that were in their original container and clearly labeled were accepted. The county contracted a state approved and licensed hazardous waste hauler to collect, handle, transport, and dispose of the pesticides.

The Department maintained a record of the town where the homeowner or farmer resided and the approximate distance traveled to the site. Also the type and quantity of materials disposed and the method were recorded.

*Funding for this project was made possible by a \$50,000 grant from the New Jersey Spill Fund through the Office of Science and Research.

II. CONSIDERATIONS FOR ORGANIZING A PESTICIDE DISPOSAL PAY

The following information is presented as a guide for organizing and implementing a Pesticide Disposal Program.

Prior planning and organization is very important. Prior to the Collection Day a pre-work conference should be held. The hauler should meet with the sponsoring group and other parties that they deem necessary.

The Program costs are high. Amounts spent and quantities collected are listed in Tables 1 and 2 of this section.

Advertising is also very important in generating interest and a public response. Regarding this project, the desired scope of materials to collect involved pesticides, which is reflected in the advertisement. The results of the survey questionnaire list the most common methods regarding advertising and publicity. An example of brochures printed by our Bureau is included in Appendix 2. Appendix 3 is an example of a departmental news release.

Location is a primary factor in organizing a disposal project. The site selected for the program should be large enough to accommodate parking for participants as well as house the materials staging area. A backup location with cover is necessary if bad weather should occur.

In four of our programs, we required Pre-registration of participants. From our experience, we would strongly suggest that all participants pre-register to facilitate planning.

Pre-registration was useful in three respects:

1. Identify the number of participants;
2. Screen the type materials to be collected. [We could not accept unlabeled materials, aerosols, or materials with silvex or 2,4,5-T.]; and
3. Estimate the amounts of materials and disposal costs prior to the program.

EPA approval is required. The organizing group should secure an EPA site number from the EPA Region II Office at: Permits Administration Branch-USEPA II, 26 Federal Plaza, NY, NY 10278, Phone #-(212)-264-9882. Plan on contacting EPA at least 6 weeks in advance for the necessary paper work.

Police and Emergency Personnel should be notified in advance. This prior notification will assist them in handling any emergency that could occur.

Adequate liability insurance for the program location should be reviewed and evaluated. Normally the issues are handled and reviewed by the local governing bodies sponsoring the program.

For most pesticides, a critical decision must be made to either incinerate or landfill the materials. Though incineration is almost twice the cost, the DEP opted for this method since it is the most environmentally sound disposal choice for the long term consideration.

One of the most important components of the Program is the Waste Hauler. Appendix 1 is a partial list of Waste Disposal Firms licensed to handle Pesticide Waste in New Jersey. Additional names of Licensed Waste Haulers can be obtained from the Department of Environmental Protection's Hazardous Waste Advisement Program at 609-292-8341.

The following are some considerations for contracting with a hauler.

1. The hauler should have present at the disposal site an employee trained in the identification of all hazardous and acutely hazardous wastes (collectively "Wastes," as defined by New Jersey or Federal laws or regulations) and additional employees and materials and equipment as are necessary to collect, contain, label, load, and transport such Wastes from the collection site in a manner conforming to New Jersey and Federal laws and regulations.
2. The hauler should transport from the collection site all wastes which it has accepted at the site at the end of the Collection Day.
3. The hauler should certify to the customer that on the day of collection, it shall have:
 - a. A valid EPA Identification Number for transportation, treatment, storage, and disposal of hazardous and acutely hazardous wastes.
 - b. A valid license from the State of New Jersey, Department of Environmental Protection to collect, transport, treat, store, and dispose of hazardous and acutely hazardous wastes.
 - c. Properly registered vehicles to be used by the hauler to transport Wastes from the Site.
 - d. Liability insurance in effect for claims arising out of death or bodily injury and property damage from hazardous and acutely hazardous waste transport, treatment, storage, and disposal in the amount of \$1 million dollars as evidenced by a certificate of insurance satisfactory to the State not later than five days prior to the day of collection.
4. The hauler should indicate the method of disposal for the various categories of pesticides and other hazardous wastes. The hauler must indicate the final disposal site of those Wastes.
5. The hauler should indicate the man/hour price per employee at the collection site and how many employees will be needed to carry out the operation. Also, a cost per unit of waste collected should be specified.

III SURVEY RESULTS

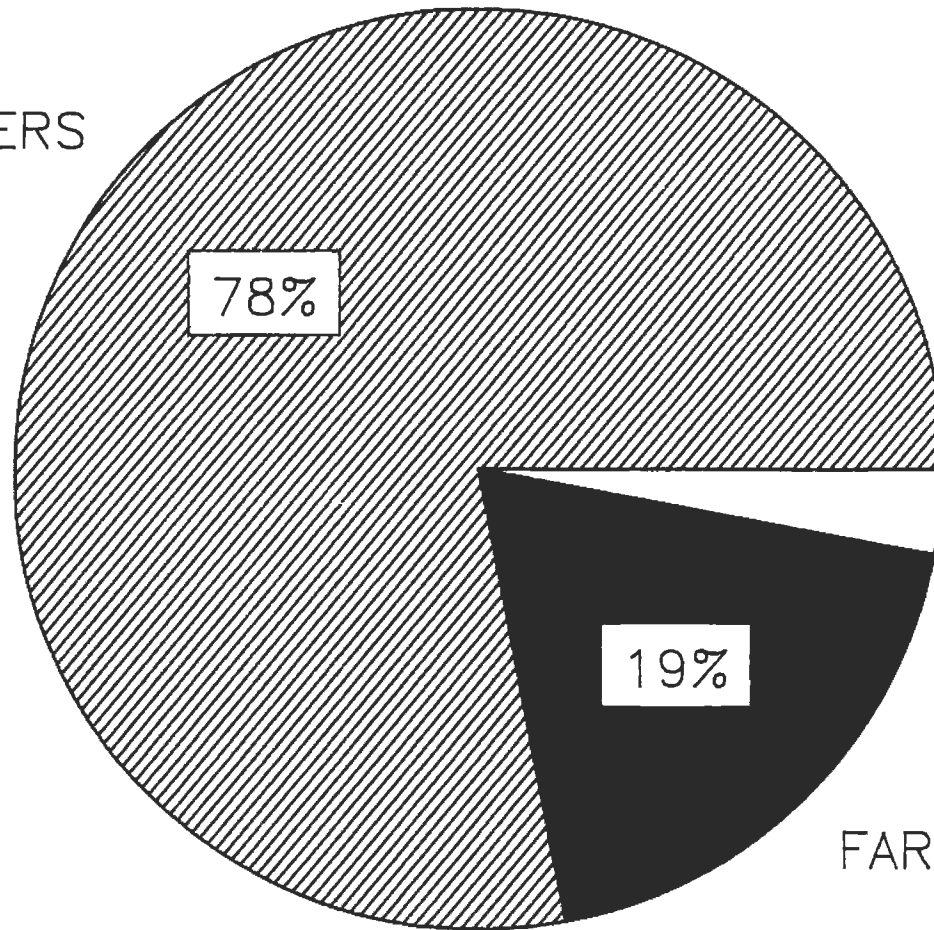
A questionnaire (see Appendix 4) was distributed on the Pesticide Collection Days to provide information on the types of participants, how they were informed of the service, types of pesticides collected, the number of accidents experienced with pesticides and the reaction to the program. The following is a summary of the results from the questionnaire.

1. Of the 322 participants:
78% were homeowners, 19% were farmers, and 3% other
2. How did they hear about the program?
3% by radio, 58% by newspaper, 35% by newsletter, and 4% by community group.
3. How far did they travel?
40% traveled 1-5 miles, 37% traveled 5-10 miles, 21% traveled 10-20 miles, and 2% traveled greater than 20 miles
4. Of the 539 items brought for collection:
22% were weed killers, 49% were insect killers, 15% were disease sprays, 12% were other, and 2% did not know
5. Did they think the program was beneficial?
98% thought very beneficial, 2% thought somewhat beneficial
6. Would they be willing to pay for this kind of program in the future?
80% were willing to pay, 14% were not, and 6% had no response
7. Have they ever had an accident using pesticides?
4% said yes, 96% said no
8. The participants were also asked what types of programs they would like to see in the future. While the responses varied the general trend was for this program to be set up on an annual basis and for more education regarding the use and safety of pesticides.

Graphic results of the information are included in this section.

OF 322 PARTICIPANTS

HOMEOWNERS

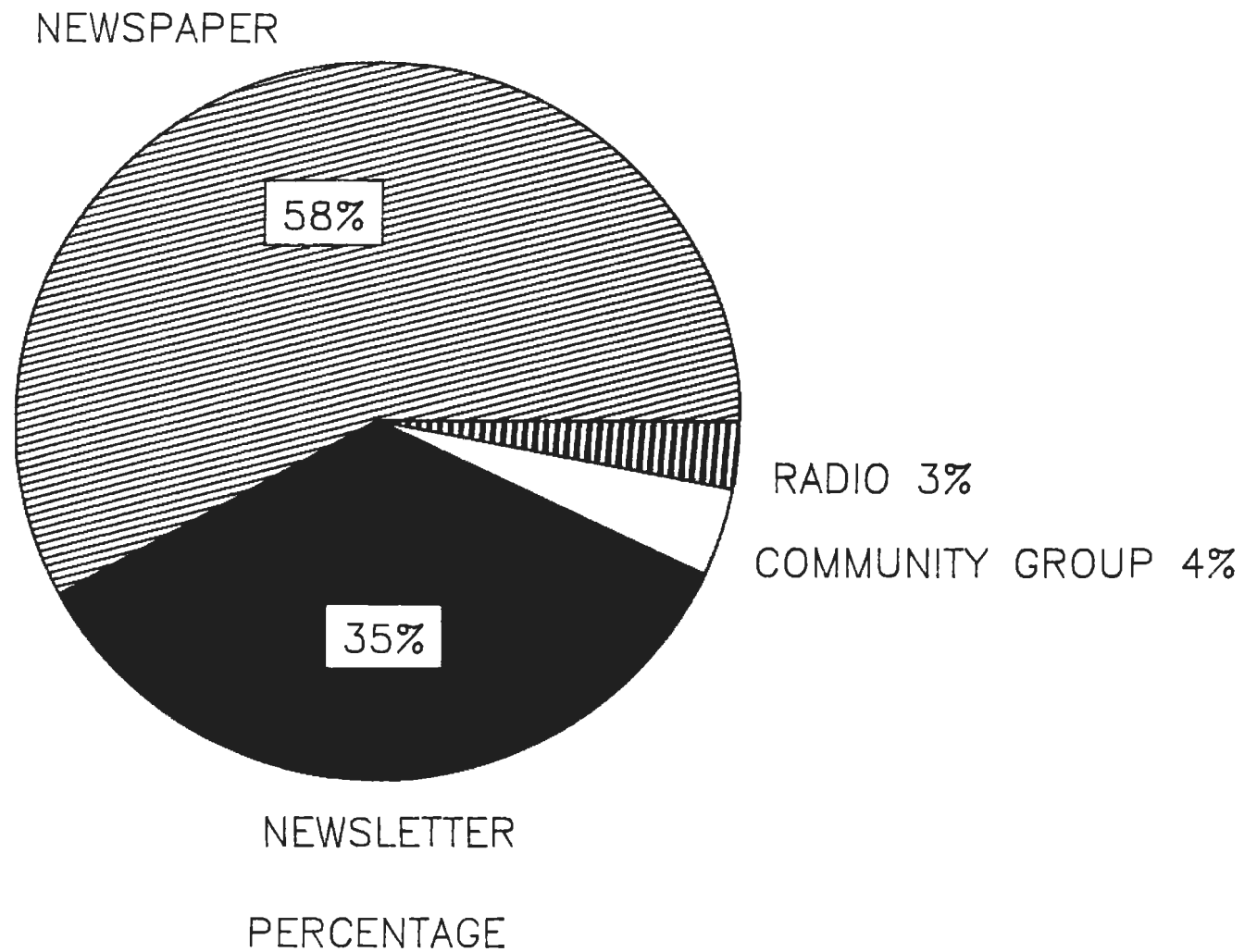


OTHERS 3%

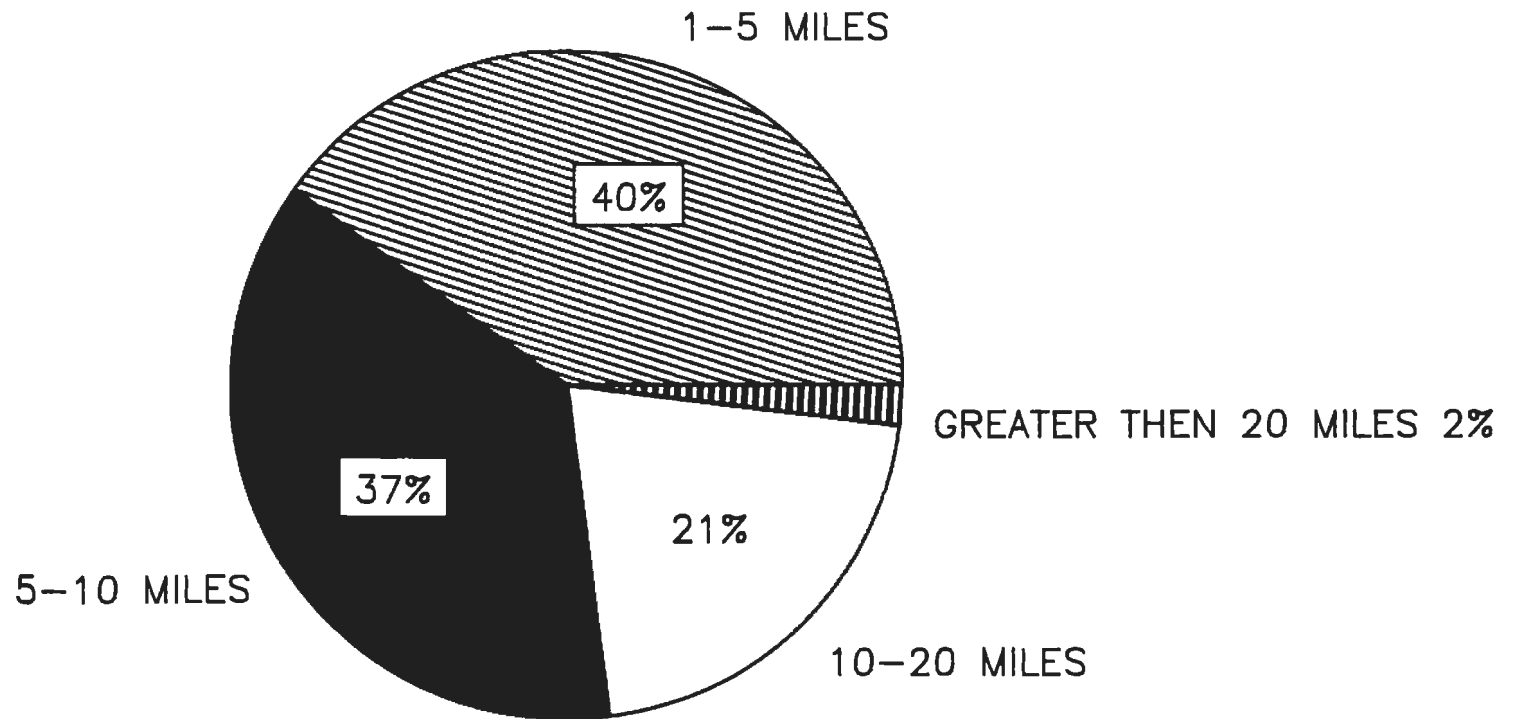
FARMERS

PERCENTAGE

HOW DID YOU HEAR ABOUT THIS PROGRAM?

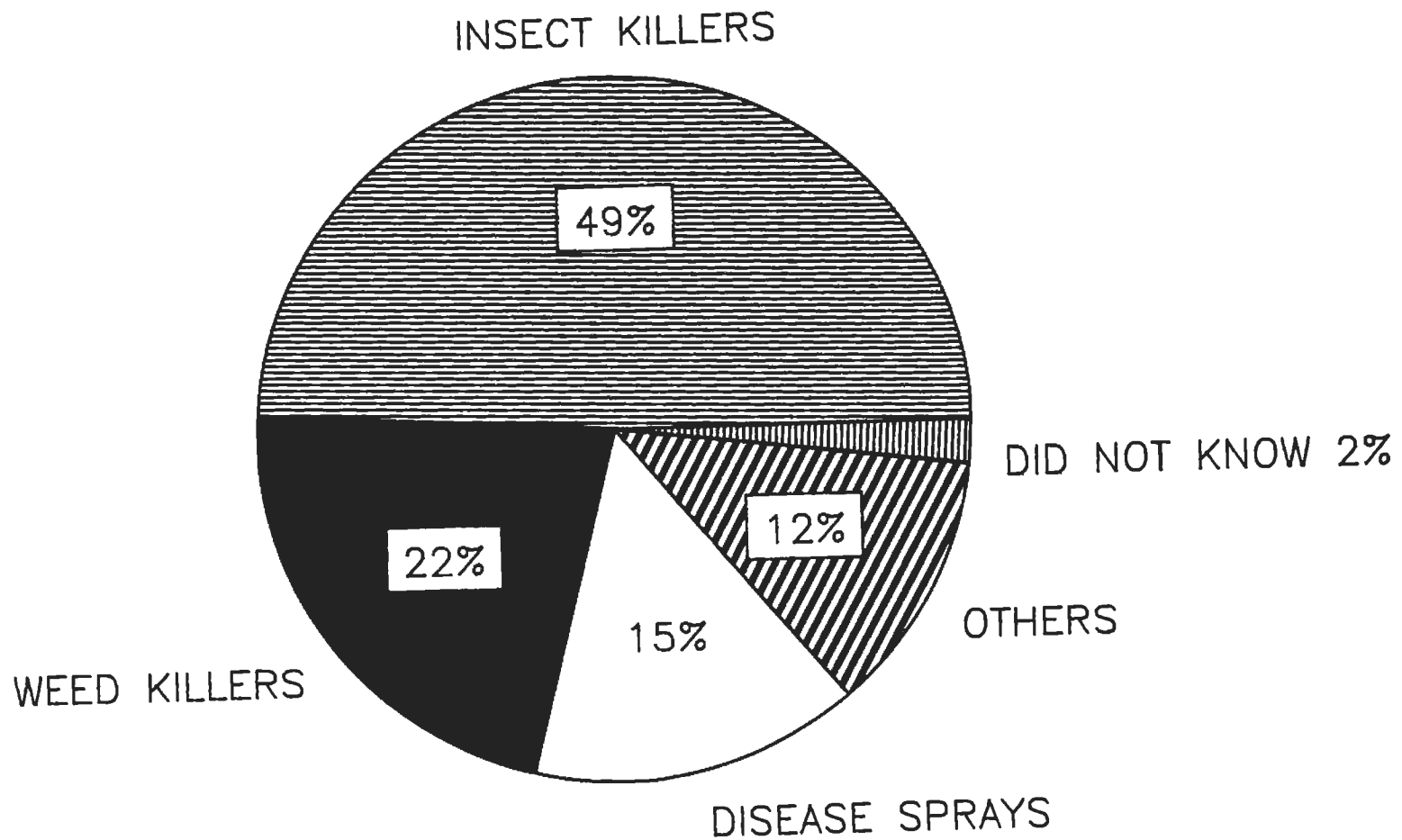


HOW FAR DID YOU TRAVEL?

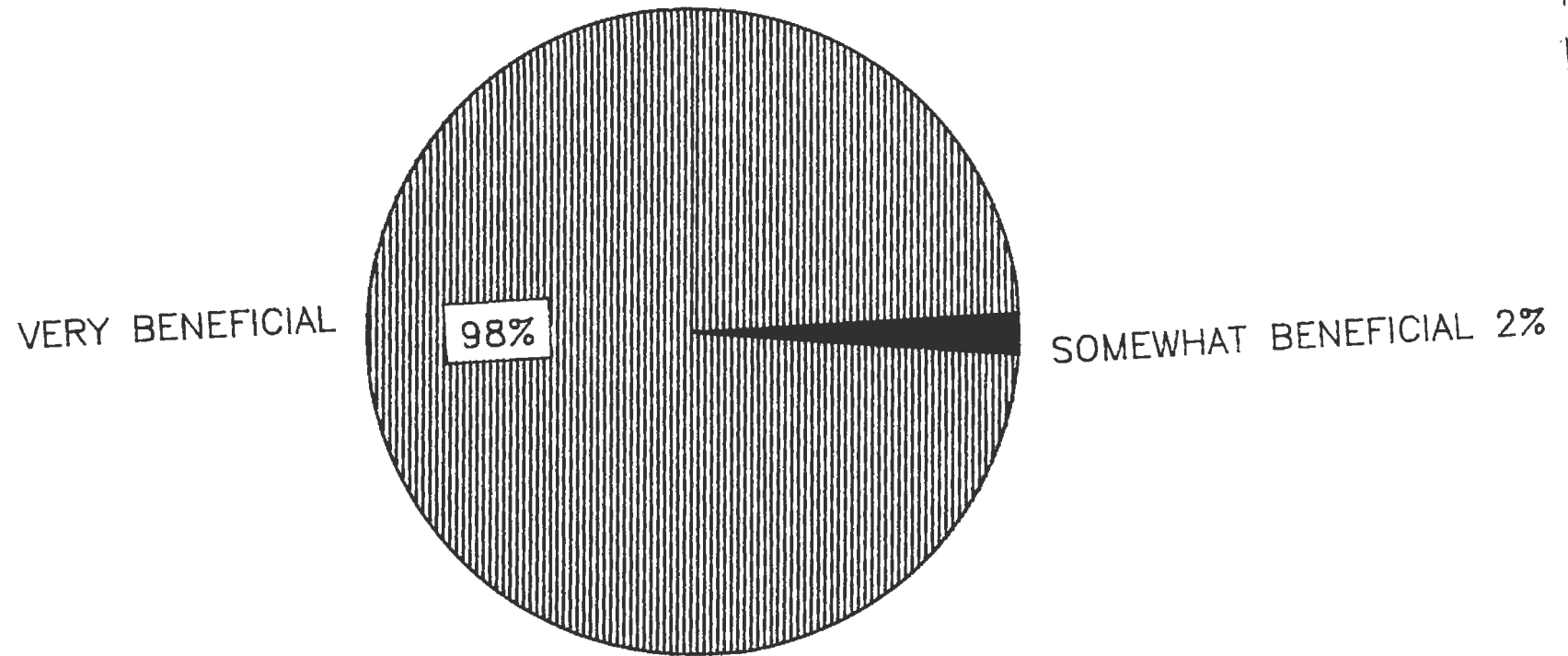


PERCENTAGE

OF 539 ITEMS COLLECTED

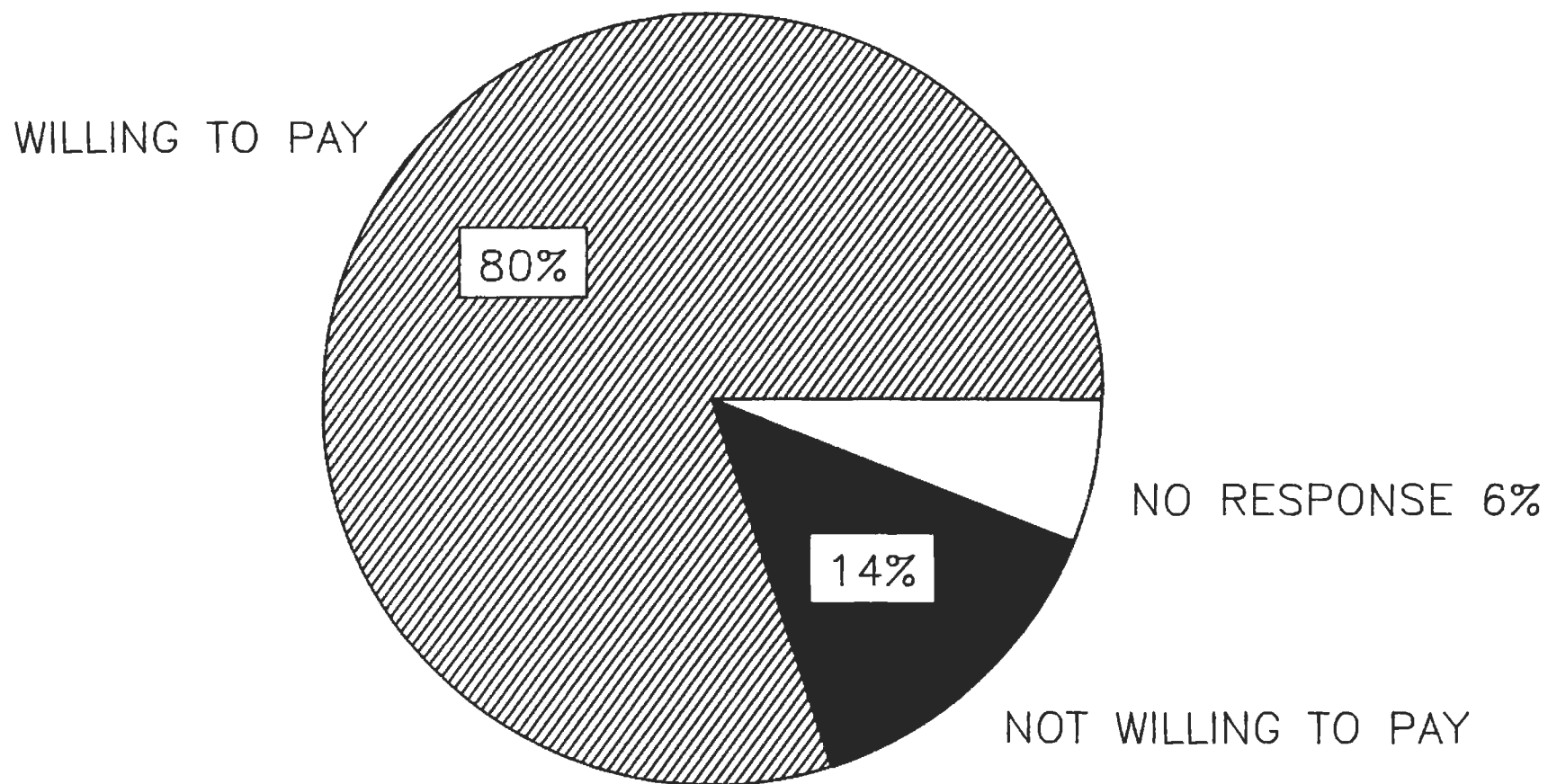


DID YOU FIND THIS PROGRAM BENEFICIAL?



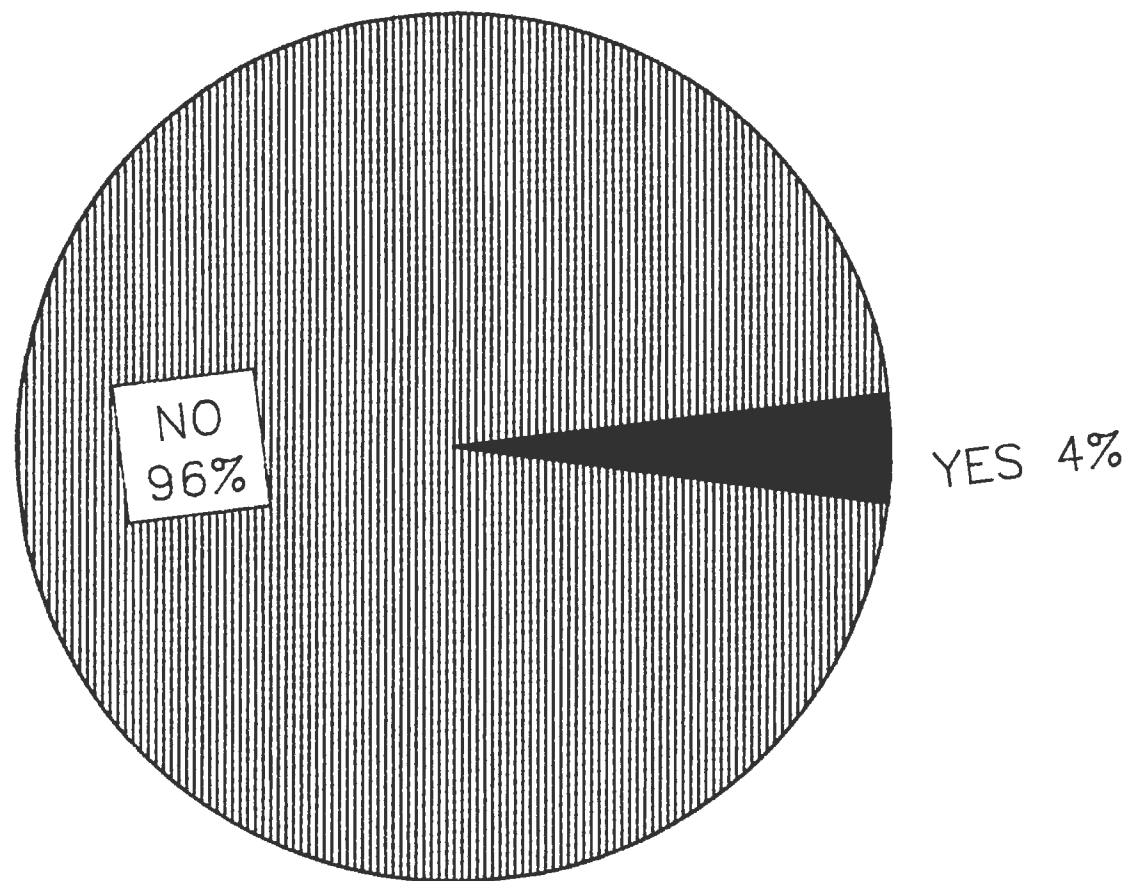
PERCENTAGE

WOULD YOU BE WILLING TO PAY FOR THIS
TYPE OF PROGRAM IN THE FUTURE?



PERCENTAGE

HAVE YOU EVER HAD AN ACCIDENT
USING PESTICIDES?



PERCENTAGE

IV CONCLUSIONS

The goals and objectives set forth for the Disposal Project by the Bureau of Pesticide Control (BPC) have been accomplished. They are as follows:

1. The primary function of this project is research oriented since the DEP Office of Science and Research awarded \$50,000 to the BPC to conduct the research program. In its research mission, the BPC was to determine the actual need for implementing collection projects and the best method to conduct such a program. The public interest and the amount of waste collected demonstrate the need, while the Bureau's experiences, as outlined in this report, illustrates the best method.
2. One of the most important objectives which have been addressed is that all the toxics which have been collected were routed to an environmentally sound disposal fate. Typically, these materials could have been discarded in the "regular trash stream" with potential environmental ramifications resulting at the state landfills, such as groundwater contamination.
3. Residents who utilized the disposal program have eliminated potentially hazardous conditions including toxic spills and fires at the home or the farm.
4. The Disposal Project has generated much support and interest from the public, the county officials, DEP management, and the legislators. Through the survey information, the public was very supportive and asked for a continuation of the program. Certain counties involved in the project indicated they will continue the service in the future. Also, a bill was introduced in the legislature to fund an indepth study on the costs to conduct a disposal project statewide involving all household toxic wastes.

Overall the project was very successful due to the collective efforts of DEP agencies, County agencies, the Rutgers Extension Service, and the Waste Disposal Companies.

The bureau of Pesticide Control thanks all who contributed and were supportive of this very worthwhile project. Continuation of such efforts by appropriate organizations is highly recommended.

TABLE 1

MATERIALS COLLECTED

COUNTY	LIQUID (GALLONS)	SOLIDS (POUNDS)
MORRIS	69	609
GLOUCESTER	94	847
MORRIS	111	605
SOMERSET	171	688
BURLINGTON	205	1,833
ATLANTIC	175	400
UNION	157	574
MONMOUTH	439	1,727
TOTALS	1,421 GALLONS	7,282 POUNDS

TABLE 2

COUNTY	DATE	DEP \$	COUNTY \$	TOTAL \$
MORRIS	5/18/85	5,000	439	5,439
	10/05/85	5,000	3,699	8,699
GLOUCESTER	6/08/85	10,000	0	10,000
SOMERSET	10/19/85	6,000	5,000	11,000
BURLINGTON	10/26/85	6,000	7,408	13,408
ATLANTIC	11/09/85	6,000	3,225	9,225
UNION	11/23/85	6,000	5,000	11,000
MONMOUTH	4/19/86	6,000	23,910	29,910
		50,000	46,212	96,212

APPENDIX 1
Partial List of Waste Disposal Firms

Advanced Environmental Technology Corporation
Gold Mine Road
Flanders, NJ 07836
Mr. David Kennedy (201)347-7111

Rollins Environmental Service
Bridgeport, NJ 08014
Mr. Todd Raba (609)467-3100

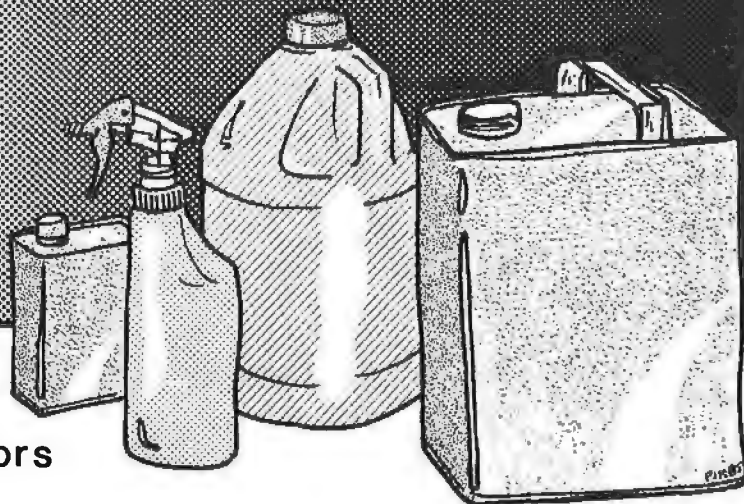
Radiac
261 Kent Avenue
Brooklyn, NY 11211
Mr. Al Block (212)963-2233

GSX Services Inc.
P.O. Box 370
13 C Street, Suite D
Laurel, MD 20707
Mr. Joe Dina (800)638-4440
(301)953-9583



Pesticide Disposal Day

**Saturday
May 18, 1985
Morris County
9 am to 3 pm**



For Morris County homeowners,
farmers and small quantity generators



What we will Collect—

Small quantities of pesticides that are illegal or out-of-date. Pesticides will only be accepted if they are in their original containers with a label indicating the contents.

Please do not Bring—

Unknowns or unidentified materials, explosives, gasoline, radioactive materials, or aerosols.

Collection Site and Directions are Listed on the Reverse Side Pesticide Disposal Day Instructions

There are two methods of disposal:

1. If the pesticides are not banned or outdated they may be given to some one who can use them legally according to the label instructions.
2. For banned, outdated, or restricted pesticides, it is best to bring them to the pesticide disposal collection day. Be sure to bring the pesticides in their original container.

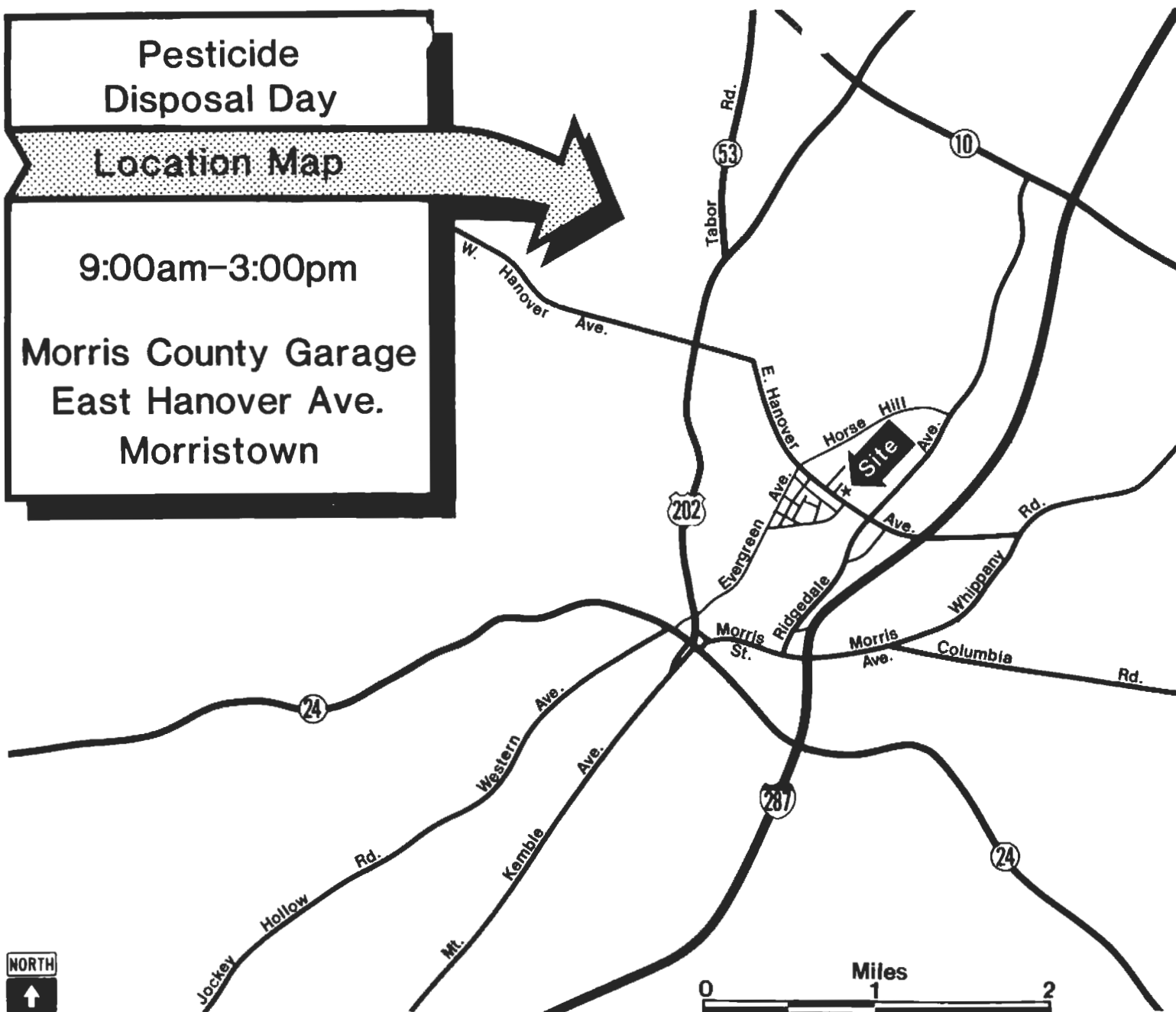
Collection Site Location Map 

Pesticide Disposal Day

Location Map

9:00am-3:00pm

Morris County Garage
East Hanover Ave.
Morristown



New Jersey Department of Environmental Protection
Division of Environmental Quality
Bureau of Pesticide Control
380 Scotch Road
West Trenton, N.J. 08628

Pesticide Disposal Day



NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION

CN 402, TRENTON, N.J. 08625 609-292-2994 609-984-1795

NEWS

THOMAS H. KEAN, GOVERNOR
RICHARD T. DEWLING, COMMISSIONER

(STATEWIDE)

No. 86/153

Immediate release:

April 16, 1986

Freehold (Monmouth County)
COUNTY SETS APRIL 19 FOR
PESTICIDE COLLECTION DAY

TRENTON--The last of seven local pesticide disposal days, funded by the state Department of Environmental Protection (DEP), has been scheduled by Monmouth County for Saturday, April 19, at the Monmouth County Service Center on Manalapan and Bowne avenues in Freehold.

This pilot program by the DEP Division of Environmental Quality was developed to allow homeowners, farmers and small quantity generators to dispose of pesticides in their original containers which are illegal, out-of-date or for which they have no further use, division Director Donald A. Deieso said.

"In sponsoring this environmentally sound means for disposal of pesticides, we are using the project to generate research data and information to determine the need and scope for such a safe disposal program throughout the state," Dr. Deieso stated.

The DEP Office of Science and Research approved a \$50,000 grant proposal from the Bureau of Pesticide Control to conduct this research project. The funding is from interest monies accrued in the New Jersey Spill Compensation Fund to address DEP research project needs.

For this Saturday's collection, Monmouth County was awarded a \$6,000 grant from the DEP. It will be matched with county funds. Contact persons in Monmouth County are Richard Oball, the Monmouth County Extension Service Agricultural Agent at 201/431-7261, and Lester Jargowsky, Public Health Coordinator of the Monmouth County Health Department at 201/431-7456.

(more)

In 1985, the DEP funded pesticide collection days in Atlantic, Burlington, Gloucester, Morris, Somerset and Union counties. At present, homeowners in these and all other New Jersey counties who have small quantities of unwanted pesticides have a limited disposal option of wrapping the containers in newspapers and then disposing of them in their regular trash collection system. Although in accordance with federal and state regulations, Dr. Deieso stated that there is the potential for environmental contamination of unlined landfills with pesticides and other hazardous substances through this disposal method.

For these collection days, a small quantity generator is one who produces a total of one kilogram (2.2 pounds) or less of acutely hazardous waste per month or a total quantity of 100 kilograms (220 pounds) or less of hazardous waste per month. This is in accordance with state regulations and, Director Deieso explained, no special hazardous waste permits will be needed for disposal.

Only pesticides that are in their original containers and clearly labelled will be accepted for collection on Saturday between the hours of 9:00 a.m. and 2:00 p.m. A state-approved licensed hazardous waste hauler contracted by the county will be responsible for the handling, transport and disposal of the pesticides.

Following the completion of this pilot program, a "how to" brochure will be developed by the Bureau of Pesticide Control based on the information and data obtained from the project. Future disposal days for pesticides and other hazardous wastes are being planned by the DEP.

PESTICIDE COLLECTION DAY QUESTIONNAIRE - PLEASE CHECK APPROPRIATE ANSWERS

HOMEOWNER _____ FARMER _____

HOW DID YOU HEAR ABOUT THIS PROGRAM?

_____ RADIO
_____ NEWSPAPER
_____ NEWSLETTER
_____ COMMUNITY GROUP

HOW FAR DID YOU TRAVEL TO BRING YOUR PESTICIDES TO THIS LOCATION?

_____ 1-5 MILES
_____ 5-10 MILES
_____ 10-20 MILES
_____ GREATER THAN 20 MILES

WHAT TYPES OF PESTICIDES DID YOU BRING WITH YOU TODAY?

_____ WEED KILLER
_____ INSECT KILLER
_____ DISEASE SPRAY
_____ OTHER (WHAT TYPES) _____
_____ DON'T KNOW

DO YOU THINK PROGRAMS LIKE THIS ARE BENEFICIAL?

_____ VERY BENEFICIAL
_____ SOMEWHAT BENEFICIAL
_____ NOT BENEFICIAL

WOULD YOU BE WILLING TO PAY FOR THIS TYPE OF PROGRAM IN THE FUTURE?

_____ YES
_____ NO

HAVE YOU EVER HAD AN ACCIDENT USING PESTICIDES?

_____ YES
_____ NO

WHAT OTHER TYPES OF PROGRAMS WOULD YOU LIKE TO SEE REGARDING PESTICIDES?

THANK YOU FOR PARTICIPATING IN THIS PROGRAM AND FILLING OUT THIS SURVEY.

STATE OF NEVADA

RICHARD H. BRYAN
GOVERNOR



THOMAS W. BALLOW, EXECUTIVE DIRECTOR
JACK N. ARMSTRONG, D.V.M., DIRECTOR
DIVISION OF ANIMAL INDUSTRY
PHILLIP C. MARTINELLI, DIRECTOR
DIVISION OF PLANT INDUSTRY
STEPHEN J. MAHONEY, DIRECTOR
DIVISION OF BRAND INSPECTION

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JOHN H. WHITE
RONALD YAMAMOTO

DEPARTMENT OF AGRICULTURE

350 CAPITOL HILL AVENUE
(MAILING ADDRESS—P.O. BOX 11100, RENO, NEVADA 89510-1100)
(702) 789-0180

STATE OF NEVADA
Report to ASPCRO
September 22-26, 1986
Tucson, Arizona
Submitted by Robbin E. Rose

- 1) Certification: The State of Nevada currently has 682 certified commercial applicators and 254 certified private applicators. During the winter of 1985-86, the Department of Agriculture, along with the University of Nevada-Reno, conducted four 2-day training schools throughout the state as well as two exam sitting sessions. Approximately 447 individuals attended these sessions.

Dates for this years training sessions have been set for the months of December and January. A new policy this year requires all individuals applying for certification and recertification to take, and pass, a general exam as well as the various categorical exams. Applicators are not required to attend the training sessions, however study manuals are available from the department and exams may be taken at any time during the year at four locations throughout the state.

Georgia's study manual on wood preservatives will be incorporated in our study materials for the new category.

- 2) Licensing-Pest Control Companies and Operators: As of September 1986, we have 142 licensed pest control companies in the state, fourteen of them being aerial applicators.

The department is in the process of revising the PCO manuals and examinations. We have incorporated a label reading and comprehension section into each of the category exams.

During the first week in September two hearings were conducted in Las Vegas and Reno to hear testimony and comments on proposed amendments to the Nevada Administrative Code Chapter 555, Custom Pesticide Applicator Regulations. The following are some of the proposed changes in the regulations.

- a) the department will require employers to secure terminated employee licenses or to send in a written statement indicating that an attempt had been made to secure the license without success.
- b) persons controlling vertebrate pests by means other than by the use of chemicals (trapping) will be exempt from licensing.

- c) persons who will be treating structural timbers, utility poles, fence posts, etc for hire will now have to be licensed with the state.
 - d) the department will require all company service vehicles to have the business name and permanent license number prominently displayed on both sides of the vehicle.
 - e) currently, the department has a proposal in the legislature to change the maximum insurance deductible requirements from \$500 to \$1,000. It was decided from the regulation hearings that the liability limits remain the same which is \$10,000 per occurrence for bodily injury and property damage and \$20,000 aggregate bodily injury and property damage.
- 3) EPA Cooperative Enforcement Agreement: During the 1986 fiscal year the department analyzed 157 samples, 12.3% of which were violative. These violative samples (mostly use-dilution or formulation products) were either deficient, over formulated, or cross contaminated.

A neutral scheme for conduction of inspections is currently in effect. Our goal is to inspect all principals and operators in a short period of time before inspecting the same individual twice.

- 4) Current Questions and Problems of Concern:
- a) The Wood-Destroying Pest inspection report required by the department for submission by the pest control operator is not holding up in court. We are suggesting that the company attach a disclaimer to the report for the customer to sign so that they understand completely what the inspection will and will not cover.
 - b) We are currently requesting information from other states and the NPCA on various term definitions found on wood-destroying pest inspection reports. Several of our pest control companies are currently licensed in other states which definitions of the following terms differ from Nevada's definitions: Earth-Wood Contacts, Cellulose Debris, Faulty Grades, Excess Moisture and Conditions Conducive to Infestation. This would help clarify and standardize inspections and reports among the states.
 - c) For those companies who can't secure liability insurance, a surety bond may be secured for the required amount of insurance coverage. However, many companies can't even secure a bond. The problem with a bond is that it covers only one occurrence. If the company has more than one claim then the money would have to come out of the company's pocket.
 - d) We are requesting definitions and interpretations of the various pollution exclusions found on the policies from the various insurance companies writing them in their policies. The Attorney General's office and Insurance Commission will be commenting on the exclusions to see if they meet the state's insurance requirements.

- e) It has been requested that the department require all licensed PCOs to wear a laminated identification card given by the state with his/her picture, license number and company name on it.
- f) Homeowners have requested that an addition be added to the wood-destroying pest inspection report to include an area for any chemicals applied, amounts, date of applications, and type of application. A history of pesticide application on the home would then be on file with the department.

1986 REPORT
STRUCTURAL PEST CONTROL DIVISION
NORTH CAROLINA DEPARTMENT OF AGRICULTURE
FOR
PRESENTATION AT THE ANNUAL MEETING OF THE
ASSOCIATION OF STRUCTURAL PEST CONTROL REGULATORY OFFICIALS
SEPTEMBER 22 - SEPTEMBER 26, 1986
TUCSON, ARIZONA

STRUCTURAL PEST CONTROL
BOARD
RECEIVED
AUG 4 1 08 PM '86

I. STRUCTURAL PEST CONTROL LAW AND RULES AND REGULATIONS:

Two structural pest control bills were considered by the 1985 General Assembly during its second session in June of this year.

Favorable action was taken on a special bill which provides funds for the Structural Pest Control Committee to develop, and make available on a voluntary basis, video training tapes on pesticide safety for sales and service personnel of licensed PCOs.

The General Assembly delayed action on an amendment to the law that authorizes the Committee to assess a civil penalty of not more than two thousand dollars against any person who violates any provision of the law or structural pest control rules and regulations

In view of the fact that the North Carolina Pesticide Law contains a similar provision, it is anticipated that this proposed legislation will be enacted during the regular session of the General Assembly which convenes in February of 1987. If enacted it will provide the Committee with an alternative course of disciplinary action which heretofore has been limited to suspension or revocation of licenses and cards. While the implementation of this option may create a financial hardship for the small PCO, it is not likely to have the same impact as license revocation which usually drives the PCO out of the pest control business.

II. RECERTIFICATION

There have not been any changes in the recertification requirements during the past year. Licensed operators and certified applicators must be recertified every five years. Recertification can be accomplished by earning Continuing Certification Units (CCUs) of formal training anytime during the five-year period immediately preceding the expiration date of the individual's certification or by taking and passing a re-examination covering the appropriate phases(s) of structural pest control work. The vast majority of individuals seeking recertification opt for formal training in one or more of the thirty-two approved programs. During the past year, only about thirty percent of those who chose the re-examination passed on the first try.

III. ENFORCEMENT

The law places the responsibility for enforcement under the Commissioner of Agriculture and provides for the creation of a Structural Pest Control Division within the Department of Agriculture. It also gives the Commissioner authority to appoint a division director, structural pest control inspectors and other employees and personnel of the division as are necessary to carry out the purpose and intent of the law. The division administers all examinations; issues licenses and certified applicator's identification cards; registers employees of license holders; and initiates legal action against unlicensed operators. The division has a staff of sixteen people consisting of a director, a three-member clerical staff, two field supervisors, nine inspectors, and a chemist.

IV. ACTIVITIES DURING 85-86 FY:

- a. Licensed Operators: 533 operators representing 355 companies
- b. Certified Applicators: 805 applicators (447 with pest control industry and 358 not with pest control industry)
- c. Operator's Identification Card Holders: 1,589
- d. Inspections: (5,914 total)
 - (1) WDO Jobs Inspected: 2,658
 - (a) WDO Jobs from which soil samples were tested: 1,926
 - (7% deficient in toxic chemical)
 - (2) HPC Inspections: 6
 - (3) F Inspections: 22
 - (4) Pesticides, Equipment and Record Inspections: 852
- e. Reinspection Fees: (\$5,995.00 total)
 - (1) No. of PCOs charged fees: 169
 - (2) No. of fees charged: 395

- f. Hearings before the Committee: (4 total)
- (1) No. of Informal Hearings: 2
 - (2) No. of Formal Hearings: 2
 - (a) No. licenses suspended/revoked: 1 WDO license suspended; 2 WDO licenses and 1 HPC license revoked.
- g. Court Cases: (23 total involving 7 different individuals)
- (1) No. of individuals convicted of violating law: 7
 - (a) No. of individuals given active prison sentences: 1

Submitted By: Rudolph E. Howell

Ohio Department of Agriculture
Pesticide Regulation Section

1986 Report to the Association of Structural
Pest Control Regulatory Officials

The Ohio Department of Agriculture carries the responsibility for enforcement of pesticide related activities in Ohio. While some activities, such as stream pollution, are handled by the Department of Natural Resources, and transportation accidents are handled by the Ohio Environmental Protection Agency, most remaining cases are the responsibility of the Ohio Department of Agriculture. The Pesticide Regulation Section operates with a full time staff of 15 committed only to pesticide issues.

The principal field activity carried out by our Section is pesticide use investigation. Through cooperative agreements with other agencies and a toll free telephone system, the Pesticide Regulation Section receives hundreds of requests each year to investigate pesticide use sites. During 1985 the Ohio Department of Agriculture inspected nearly five hundred pesticide use episodes. Structural pest control investigations represented approximately 35% of the total case load.

In order to deal with the large volume of cases requiring regulatory action, the Ohio Department of Agriculture, utilizing United States Environmental Protection Agency enforcement grant funds, is currently evaluating the effectiveness of a designated pesticide criminal investigator.

The volume of criminal cases handled under this system in 1986 stands at:

- 21 cases completed
 - 85 misdemeanor counts
 - 15 felony counts
- 3 cases pending
 - 15 misdemeanor counts
 - 5 felony counts

In addition to the previously cited cases, the Ohio Department of Agriculture continues to handle lesser violations through administrative actions against licenses. The Ohio Department of Agriculture is also currently in the process of requesting civil penalty authority. Our belief is that the three step approach to enforcement; license modification, civil penalty, and criminal penalty, will enhance the goal of safer pesticide application.

A.S.P.C.R.O. ANNUAL MEETING
September 22-26, 1986
Tucson, Arizona

THE TEXAS REPORT

The financial status of Texas' state government has been a serious problem for the past three or four years. This year, the drop in oil prices has brought us to a financial crisis.

The state legislature is currently in special session trying to develop a program that will prevent total bankruptcy by the end of 1986. The approach at this time is to cut state agency budgets to the bone and establish some sort of a temporary tax until the problem can be fully addressed during the next regular legislative session beginning in January, 1987.

The Structural Pest Control Board has been very fortunate during this time because we are a fully self-supported agency. In fact, we were one of the nine agencies out of the two hundred fifty plus state agencies to receive an increase in appropriations for the 1986-87 biennium. At this point, we are also one of the few agencies that has not seen the budget axe fall on our operations.

As a result of the increases in funding, we were able to add two additional field investigators this year. This gives us a grand total of nine to cover the entire state and regulate over 3,000 businesses and 16,000 people involved in the structural pest control business.

Our overall production record has increased significantly because of our extra efforts in the field. Some key numbers for evaluating our work would be:

- 10,428 - Businesses and consumer contacts
- 1,800 - Chemical records checked
- 312 - Unannounced use observations
- \$130,000.00 - In refunds or jobs redone, returned to consumers
- 123 - Criminal or civil actions filed
- 101 - Warning notices issued
- 479 - Complaints investigated
- 7 - Licenses revoked or suspended by board action
- 12 - Licenses suspended along with other sanctions by consent agreements

The number of complaints has been increasing steadily each year. In the past, termite treatments have been the number one cause of complaints with termite clearance certificates running either second or third. We have been concentrating on improving the quality of termite work performed in an

effort to correct this situation.

This year termite treatments accounted for 159 complaints or 33%. This is down from the 38% of fiscal year 1985. Termite inspection certificates accounted for 33% of our complaints in 1984, 25% in 1985 and 19.5% for 1986. We are proud of this accomplishment and hope that the trend continues.

In the area of pesticide misuse, it is evident that more education and enforcement is needed to improve the competency of termite applicators. Although our misuse complaints are less than 10% of our total complaints (44 in 1986). We are concerned that termite work accounted for 25 or almost 57% of the misuse complaints.

This year, we are attempting to adopt state standards for inspection and treatment for termites. A committee has developed a proposal to be considered by the Board.

Instead of specific treatment procedures, the committee has recommended a customer disclosure statement to accompany a bid or proposal. It would include a graph showing the locations of infestations, the method and areas of treatment, the name of the chemical to be applied, and the conditions of the warranty. Each job would have to meet the specifications as submitted and be consistent with label directions.

We have just started a new information line available 24 hours a day. The primary purpose of this line is to provide applications and information about exams and licenses as well as taking requests for complaint forms. We hope that it will help relieve the workload currently on our office personnel so that other jobs can be done in a timely manner.



COMMONWEALTH of VIRGINIA

S. MASON CARBAUGH
COMMISSIONER

BILLY W. SOUTHALL
DIRECTOR

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Product and Industry Regulation

P. O. Box 1163, Richmond, Virginia 23209

COMMONWEALTH OF VIRGINIA

Annual Report to ASPCRO

September 1986

Submitted by:

Bernard W. Chudoba

During the year, revising and updating of the pesticide applicator training manuals was begun by Extension Specialists. Priority was given to need and the number of persons examined in each category. Category 7-A (General Pest Control) and 7-B (Wood Destroying Organisms) manuals have been completed and are now being printed. At the present time, we are using the Georgia manual for certification training for category 7-B-1 (Wood Preservation).

As of September 15, 1986, sixty-eight persons have been certified in the Wood Preservation category. By the November 10th deadline, more than one hundred individuals are expected to be certified as commercial applicators in this category.

There were no major changes in the Virginia Pesticide Law or the Rules and Regulations during the past year.