

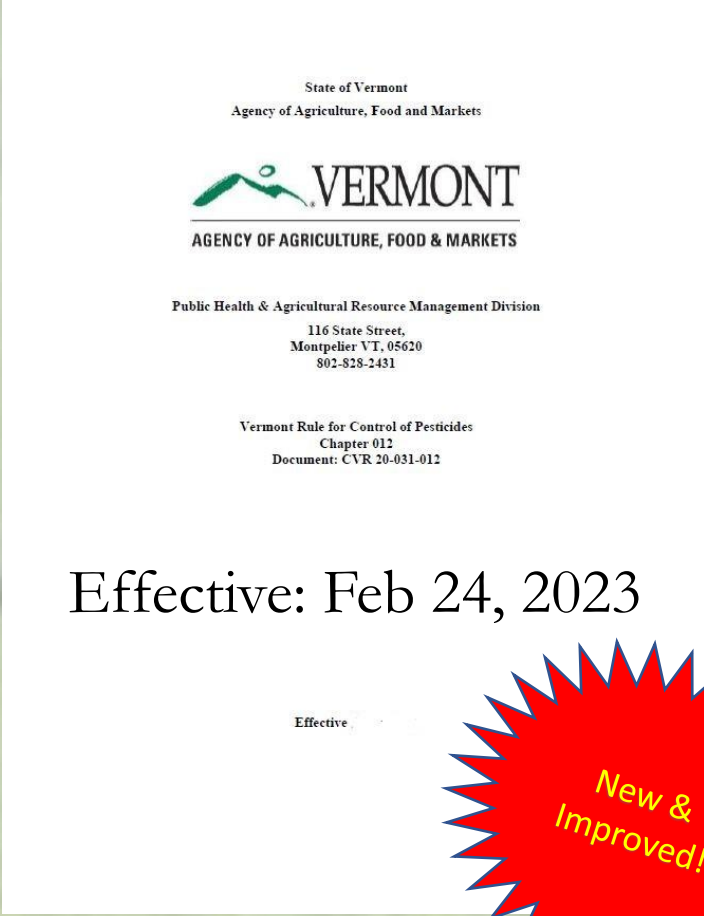
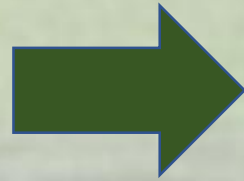
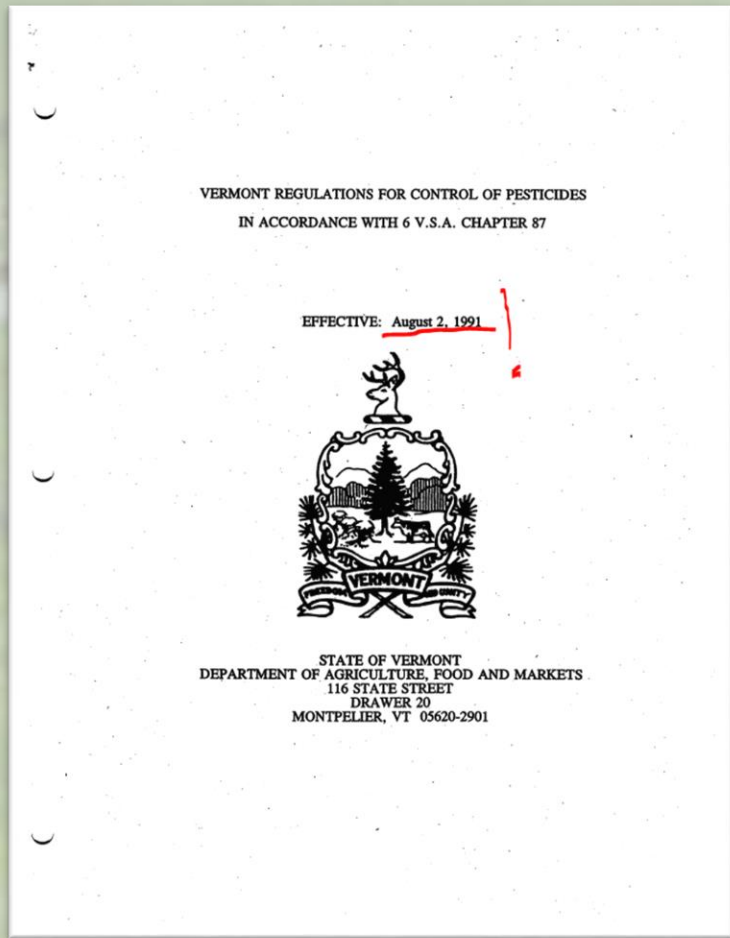
Ch-ch-ch-changes!

Updated Vermont Rule for Control of Pesticides How Will This Affect You

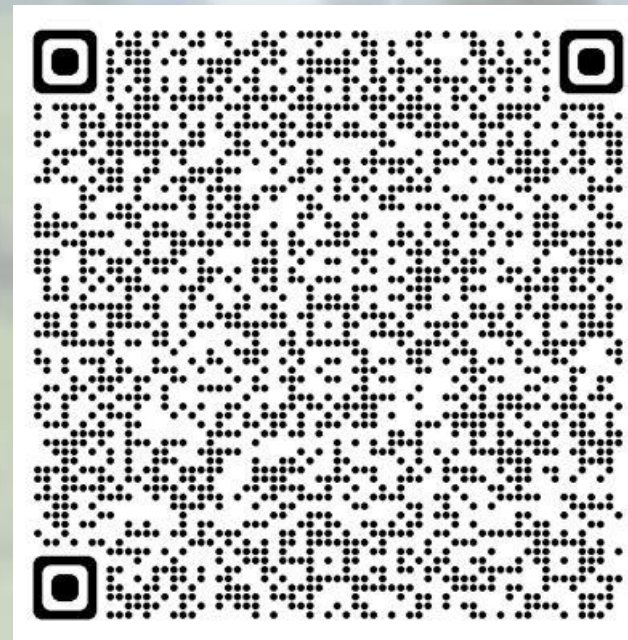
Bethany Creaser – PHARM Field Agent Northeast VT

VT Agency of Agriculture – Plant Health & Agricultural Resource Management (PHARM)

Last updated in 1991!



Find the updated rule at:



<https://agriculture.vermont.gov/public-health-agricultural-resource-management-division/pesticide-programs>

Email me for the link at
bethany.creaser@vermont.gov

3.05: General Requirements for Applicator Certification



A candidate for certification shall:
(a) be at least 18 years of age;

5.02 : Standards of Operations

(j): provide the following information on a bill, invoice, or other written or **electronic** documentation to all customers or persons for which pesticide applications are exchanged for remuneration, **at the time of** application, unless otherwise specified in Section 6:

- 1) the common or trade name for each pesticide applied;
- 2) the EPA registration number for each pesticide applied;
- 3) **the address and sites treated as indicated on the label;**
- 4) **the date and time of application**
- 5) the amount of each pesticide applied;
- 6) **the amount of total dilution used, if applicable;**
- 7) the pest treated for;
- 8) the name of the applicator; **(note: signature is removed!)**
- 9) **the certified applicator certificate number;**
- 10) **the name, address, and telephone number of the applicator or company providing service;**
- 11) **all information as required by the Worker Protection Standard; and**
- 12) **post-application label safety precautions, if specified.**

ROTATIONAL CROPS

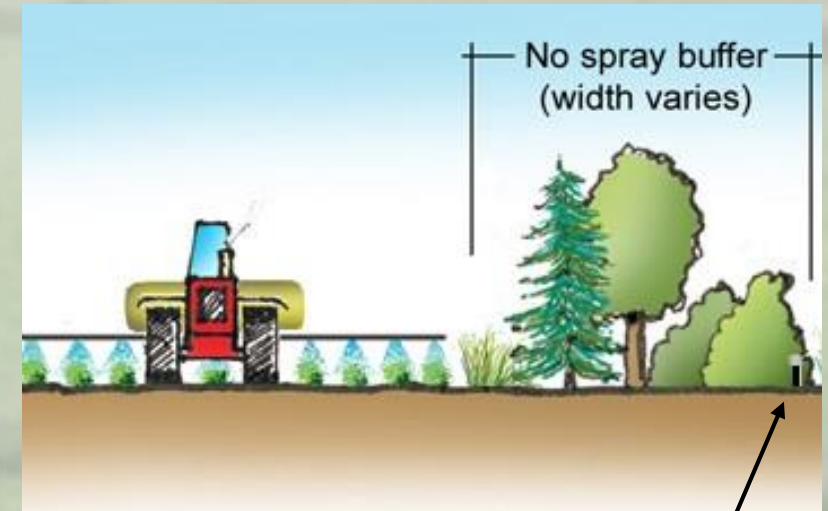
All Uses: (1) Do not rotate to any crop except corn or sorghum until the following year, or injury may occur. (2) If applied after June 10, do not rotate with crops other than corn or sorghum the next year, or crop injury may occur. (3) In the High Plains and Intermountain areas of the West where rainfall is sparse and erratic or where irrigation is required, use only when corn or sorghum is to follow corn or sorghum or when a crop of untreated corn or sorghum is to precede other rotational crops. (4) In eastern parts of the Dakotas, KS, western MN, and NE, do not rotate to soybeans if the rate applied to corn or sorghum was more than 2.2 lb/A of AAtrex Nine-O or equivalent

5.02 : Standards of Operations

(m): maintain a **minimum 50-foot buffer** when applying a pesticide **to soil or vegetation around any potable water source** unless:

- (1) the label prescribes a greater buffer; or
- (2) a greater buffer is required for the specific application (such as application on agricultural cropland, or herbicide and pesticide application on utility rights-of-way) pursuant to the distances established in Table 11-1 of the Wastewater and Potable Water Supply Rules; and

(n): (2) **200-foot buffer for all public community drinking water sources** and intakes, and surface water public non-community drinking water intakes.



wellhead

5.03: General Requirements for Applicators, Licensed Companies, and Dealers

(a) A **federally restricted** use pesticide shall **only** be used by a **certified applicator**.

Please note, a use (section 1.71) includes:

- pre-application activities involving mixing and loading a pesticide
- transporting or storing a pesticide container that has been opened
- cleaning equipment, disposing of any excess pesticide, spray mix, equipment wash water, a pesticide container, and other pesticide-containing material;
- recommending the use of a pesticide.



5.03: General Requirements for Applicators, Licensed Companies, and Dealers

(b) Applicators, licensed companies, and dealers shall maintain a **legible manufacturer** label on pesticide containers at all times.



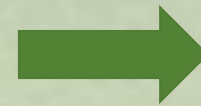
<https://www.syngenta-us.com/labels/>

AAtrex[®]Nine-0[®] +

Active Ingredients:
Atrazine, Related Compounds

Product Description:
For season-long control of many broadleaf weeds and some grasses, AAtrex[®] Nine-

Product, Label & SDS





5.04 : Protection of Bees

(a) No person shall apply a pesticide to a flowering crop, including alfalfa, apple, blueberry, clover, pumpkin, raspberry, squash, or trefoil without prior notification of at least 48 hours to an apiculturist who has an established apiary on the premises.

(b) A person hiring a commercial applicator for an application under Section 5.04(a) shall notify, or cause to be notified, the apiculturist at least 48 hours prior to the application.






5.04 : Protection of Bees cont'd

(c) A person applying a pesticide that is highly toxic to bees shall:

- (1) apply the pesticide during periods and conditions of least exposure, such as early morning or late evening; and when winds are less than nine mph;
- (2) include a 50-foot buffer from pollinator foraging sites, such as natural and semi-natural areas or intentional pollinator plantings or a 20-foot-wide non-pollinator-attractive vegetative barrier higher than the spray release height with an established 60% plant density.

 **PROTECTION OF POLLINATORS**
APPLICATION RESTRICTIONS EXIST FOR THIS PRODUCT BECAUSE OF RISK TO BEES AND OTHER INSECT POLLINATORS. FOLLOW APPLICATION RESTRICTIONS FOUND IN THE DIRECTIONS FOR USE TO PROTECT POLLINATORS.

Look for the bee hazard icon  in the Directions for Use for each application site for specific use restrictions and instructions to protect bees and other insect pollinators.

This product can kill bees and other insect pollinators.
Bees and other insect pollinators will forage on plants when they flower, shed pollen, or produce nectar. Bees and other insect pollinators can be exposed to this pesticide from:

- Direct contact during foliar applications, or contact with residues on plant surfaces after foliar applications
- Ingestion of residues in nectar and pollen when the pesticide is applied as a seed treatment, soil, tree injection, as well as foliar applications.

When Using This Product Take Steps To:

- Minimize exposure of this product to bees and other insect pollinators when they are foraging on pollinator attractive plants around the application site.
- Minimize drift of this product on to beehives or to off-site pollinator attractive habitat. Drift of this product onto beehives or off-site to pollinator attractive habitat can result in bee kills.

may be hazardous to aquatic organisms in water adjacent to use sites. Do not contaminate water when disposing of equipment washwater or rinsate.

This product is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are foraging in/or adjacent to the treatment area.

- **Surface Water Advisory**

This product may impact surface water quality due to spray drift and runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having high potential for reaching

8.01 : Requirements for Certified Private Applicators

Routine operational records shall be maintained on a **daily basis** and shall contain:

- (1) The pest treated for
- (2) The location of the pesticide application.
- (3) **The size of the area treated.**
- (4) **The crop, commodity, stored product, or site to which the pesticide was applied.**
- (5) The **time** and date of the pesticide application.
- (6) The brand or product name of the pesticide applied
- (7) The EPA registration number of the pesticide applied.
- (8) **The total amount of the pesticide applied per location per application.**
- (9) **The name and certification number of the certified applicator that made or supervised the application, and, if applicable, the name of any noncertified applicator(s) that made the application under the direct supervision of the certified applicator.**
- (10) **Restricted Entry Interval (REI)**
- (11) **Active ingredient(s) of pesticide(s) applied**



8.02 : Requirements for Certified Commercial and Non-commercial applicators

- (b) Routine operational records shall be maintained **on a daily basis** and shall contain:
 - (1) **The name and address of the person for whom the pesticide was applied.**
 - (2) Pest treated for.
 - (3) The location of the pesticide application.
 - (4) **The size of the area treated.**
 - (5) **The crop, commodity, stored product, or site to which the pesticide was applied.**
 - (6) The **time** and date of the pesticide application.
 - (7) The brand or product name of the pesticide applied
 - (8) The EPA registration number of the pesticide applied.
 - (9) The total amount of the pesticide applied **per location per application.**
 - (10) **The name and certification number of the certified applicator that made or supervised the application, and, if applicable, the name of any noncertified applicator(s) that made the application under the direct supervision of the certified applicator.**
- (c): records must be maintained for a period of **three** years (was two)





**CAUTION
PESTICIDE
STORAGE
AREA**



11.02 : Pesticide and Container Storage by Applicators and Class A and B Dealers

Key points – the pesticide storage area shall:

- Have a smooth floor surface
- Be identified by legible signage clearly indicating that a pesticide is in storage
- Be adequately vented to the outdoors prior to entry
- Maintain sufficient lighting
- Not have floor drains unless it is used in conjunction with a catch basin
- Have any discharge cleaned up within 60 minutes

Also:

- Cabinets, lockers, bins used for pesticide storage are exempt from certain subsections, i.e. venting
- Ambulance and fire department phone numbers or the 911 number shall be displayed at a central location



13.03: Disposal of Empty Containers

All containers made of materials other than paper shall be triple-rinsed and **punctured** prior to disposal

STORAGE AND DISPOSAL *(continued)*

Container Handling *(less than or equal to 5 gallons)*

Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use. Repeat for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Puncture and dispose of in a sanitary landfill.

8.05 : Requirements for Class A Dealers



A record (keep for 3 years) of each Class A pesticide transaction shall include the following information:

- 1) The name and address of the residence or principal place of business of the certified applicator to whom the Class A pesticide was distributed or sold, or if applicable, the name and address of the residence or principal place of business of each noncertified applicator to whom the Class A pesticide was distributed or sold for application by a certified applicator.
- 2) The certification number presented to the dealer evidencing the valid certification of the certified applicator authorized to purchase the Class A pesticide.
- 3) The expiration date of the certified applicator's certification.
- 4) The category or categories in which the applicator is certified relevant to the pesticide sold.
- 5) The product name and EPA registration number of the Class A pesticide distributed or sold in the transaction including any applicable emergency exemption or State special local need registration number.
- 6) The quantity of the Class A pesticide distributed or sold in the transaction.
- 7) The date of the transaction.

Some things have not changed:

Always

STORAGE AND DISPOSAL (continued)

Container Handling (less than or equal to 5 gallons)

Non-refillable container. Do not reuse or refill this container. Triple rinse container (or equivalent) promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use. Repeat for 10 seconds after the flow begins to drip. Repeat this procedure two more times. Do not puncture and dispose of in a sanitary landfill.

Read &

Under conditions may cause drift to nontarget areas. Drift may result in injury to humans, animals, or crops. Drift, DO NOT apply when the wind speed is greater than 10 mph or conditions are unfavorable.

APPLICATION SITE IS THE RESPONSIBILITY OF THE APPLICATOR

Follow

Some plant species.

APPLICATION RESTRICTIONS:

- Do not apply aerially or through irrigation equipment.
- Observe all buffer restrictions.
- Do not apply product within 300 feet of the following areas: Towns and Housing Developments, Commercial Fruit/Nut or Vegetable* production, Commercial Greenhouses or Nurseries.
- Before application, determine air movement and direction.
- Do not apply product to non-field areas including fence rows, waterways, roadsides.

If the label requires a respirator, most will require fit testing and training annually!

the Label

- Cleaners of equipment or spills, and other non-applicators must wear:
 - Long-sleeved shirt and long pants
 - Chemical-resistant gloves made of any waterproof material such as polyethylene
 - Chemical-resistant footwear plus socks
 - Chemical-resistant apron
 - A NIOSH approved dust/mist filtering respirator with any N, R, P, or HE filter or a respirator with approval number prefix TC-21C
- Applicators using spray equipment mounted on their backs must wear:
 - Long-sleeved shirt and long pants
 - Chemical-resistant footwear plus socks
 - Chemical-resistant gloves made of any waterproof material

12: Bulk Pesticide storage

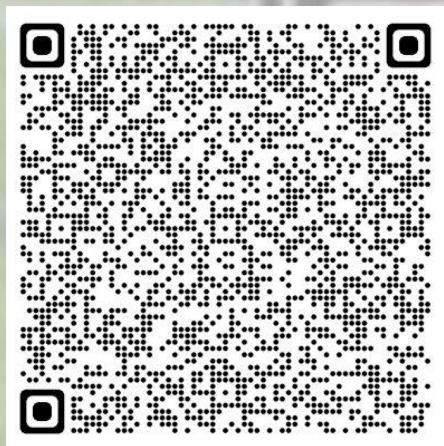
- routinely inspect and maintain storage facilities, bulk storage containers, and appurtenances
- prepare and maintain the following records: record of all discharges, weekly record of liquid pesticide levels in each storage container, monthly records that show the amount of liquid bulk pesticide lost or unaccounted for, and records of the inspection and maintenance.
- Have a written discharge response plan and employees trained in discharge response procedures

It's Not New

VT's Plant Health & Agricultural Resource Management Division – New Director, Steve Dwinell!



Don't rely on this presentation to comply with the rule – read the rule.



Questions?

Email: bethany.creaser@vermont.gov
Phone: 802-793-1628 (cell)

