



Updates to Ohio's Pesticide Certification and Training Plan

(July 1, 2022)

In 2017, the US Environmental Protection Agency (USEPA) finalized new federal standards for those who apply and handle restricted-use pesticides. These changes require states, territories, and federal agencies with existing EPA-approved certification plans, which includes the Ohio Department of Agriculture (ODA), to submit proposed modifications to comply with federal standards. Each state must have a certification and training plan (C&T Plan) approved by the USEPA administrator that meets the rule requirements. Once the plan is approved, the state has primacy to license pesticide applicators.

ODA submitted a revised C&T Plan to USEPA Region 5 in February 2020, and a revised submission in April 2021. USEPA reviewed the plan and provided comments to ODA in December 2021. A final plan addressing these comments is due back to USEPA this fall for approval.

ODA's existing C&T Plan remains in effect until USEPA approves the proposed plan modifications, or until those plans expire on November 4, 2022, whichever is earlier. However, it is likely that the USEPA imposed deadline will be extended further as final approvals are sought.

Revised C&T Plan Impacts

- **The addition of the definition of "Use" into statute.**

- Impact 1: All persons involved with handling an opened container of restricted use pesticides must be licensed or meet the new direct supervision requirements.

Examples include pre-application activities (mixing and loading the pesticide), applying the pesticide, other related activities, including, but not limited to, transporting, or storing pesticide containers that have been opened, cleaning equipment, and disposing of excess pesticides, spray mix, equipment wash waters, pesticide containers, and other pesticide-containing materials.

- **New core competency standards for commercial and private applicators.**

- ODA will help ensure providers of approved recertification training incorporate new USEPA [core competencies](#): *label comprehension, safety, environment, pests, pesticides, equipment, application methods, laws/regulations, responsibilities of supervisors and noncertified applicators and professionalism.*
- The core training programs, study materials, and pesticide exam will need to be updated to reflect the new core competencies.
- To address the workload involved with this task, additional resources will be needed (OSU PSEP/Extension, industry groups, potential federal agency assistance, and potentially ODA staffing).

- **The addition of use-category specific competency standards.**

- The recertification training, study materials, and exams will need to be updated to meet the additional [use-category specific competency standards](#).

- Every commercial and private category competency must be addressed to meet the new standards (32 categories). The use-category specific training to meet the new standards will need to be incorporated into the applicator's next continuing education credit cycle (recertification cycle).
- **Minimum age for applicators.**
 - All private and commercial applicators will be required to be 18 years old.
 - ODA will need to incorporate a method for verification of age on applications or at the time of the pesticide exam.
- **Requirements for direct supervision.**
 - Non-certified (non-licensed) applicators must be 18 years old, unless on farm under a family member's direct supervision (then 16 years old would be acceptable).
 - Non-certified (non-licensed) applicators must be trained every year and records must be kept. The training requirements found in [40 CFR 171.201](#) have increased significantly to mirror those of the worker protection handler training.
- **Additional recordkeeping.**
 - Commercial applicators will need to record their license number when applying restricted-use pesticides.
 - Restricted-use dealers will need to start recording the address of the residence or principal place of business of each certified applicator, along with the expiration date of the certified applicator's certification.
 - A new RUP Dealer Sales form will need to be created by ODA, and some firms may need to update their databases to be in compliance.
 - Training materials will need to be updated to reflect these changes.
- **Online recertification options will be formally added into the C&T Plan.**
 - ODA will continue to support online options for recertification.
 - Resources will be needed to refine this process that was originally put together very quickly during the pandemic. This is a popular resource for applicators. However, these offerings need to be updated and improved to provide for better integration with the OSU Pesticide Safety and Education Program and ODA's licensing database.

Plan Implementation

ODA is committed to working with USEPA Region 5 and Ohio's impacted stakeholders to strengthen Ohio pesticide applicator C&T Plan. Our goal is to have USEPA's approval of Ohio's new plan in compliance with federal deadlines (with some still TBD). Some changes associated with bringing Ohio's C&T Plan into compliance with federal law are contingent on changes to Revised Code Chapter 921 and Administrative Code 901:5-11 which will take time to work through those respective processes. The editing and document creation, and the review related to exams, study materials, recertification training and associated technology improvements, may take years to complete.