

Temporary Policy for Registered Pesticide Applicators

This policy is effect from May 26 through the expiration of the state of emergency.

On April 24, 2020, Governor Whitmer issued Executive Order 2020-59, which loosened the restrictions on pesticide applicators that were established under EO 2020-42. The Michigan Department of Agriculture and Rural Development’s (MDARD’s) Pesticide and Plant Pest Management Division (PPPMD) has begun to experience a surge of requests to certify pesticide applicators. PPPMD anticipates that up to 2,500 applicants will seek certification, requiring MDARD to administer up to 10,000 individual exams. This surge in applicants cannot be accommodated under current conditions as testing facilities remain unavailable, social distancing guidelines remain in effect, available staff and exam equipment are limited, and health concerns remain high for both PPPMD staff and its regulated industries.

PPPMD will overcome this challenge by encouraging its regulated industry to utilize the **registered applicator** option authorized by Act 451 of 1994 and Regulation 636. As described below, PPPMD’s policies for administering this option are temporarily modified to streamline the process for becoming a registered applicator. PPPMD retains full regulatory and enforcement authority over registered applicators, their trainers, and the companies they work for, and will continue to enforce Michigan’s pesticide laws to protect Michigan’s citizens and environment.

The current and temporary policies for registering pesticide applicators are described below:

| STANDARD POLICY | TEMPORARY POLICY |
|--|--|
| The trainer must have at least two years of experience and currently be certified in all the categories they wish to provide training for. | No change. This standard is established in Regulation 637. |
| The trainer must study the Registered Applicator Training Manual and take an in-person exam administered by MDARD. | The trainer must review the Guidance for Trainers document. This document is similar to the Registered Applicator Training Manual, but it is specific to this temporary program. They must then pass an oral exam administered by MDARD. |
| The trainer develops a training program for registered applicators and submits it to MDARD for approval. | The trainer uses the MSU Core Training Video, which has been approved by MDARD, to train prospective registered applicators. |
| Once the trainer has passed the exam and their training program is approved, the trainer can train prospective registered applicators. | Once the trainer has reviewed the Guidance for Trainers document, passed the oral examination administered by MDARD, and obtained the MSU Core Training Video, the trainer can train prospective registered applicators. |
| The trainer trains prospective registered applicators using their approved training program. | The trainer requires the trainee to watch the approved training video. The trainer also provides category-specific training that covers pest identification and equipment. |

| | |
|---|---|
| After completing training, the trainee takes the commercial core exam, which is typically administered and scored by MDARD. | After completing training, the trainee takes the commercial core exam, which is administered and scored by the trainer. The trainer completes their portion of the verification form acknowledging that they are qualified to train and have completed the approved training. |
| If a score of 70% or higher is obtained, the applicant can immediately begin working as a registered applicator. | Upon obtaining a score of 70% or higher, the applicant signs their portion of the verification form acknowledging they have received training and passed the exam. Once the scored exam, verification form, registered applicator application, and check for \$45 is submit to MDARD, the applicant can immediately begin working as a registered applicator. |

Q&A Regarding Temporary Registered Applicator Program

| | |
|---|--|
| Does the temporary process allow registered applicators to apply restricted use pesticides? | No. MCL 324.8306 defines a register applicator as an individual authorized to apply general use pesticides for commercial purposes. Registered applicators are <u>NOT</u> allowed to apply restricted use pesticides. Restricted use pesticides (RUPs) are pesticides that can significantly impact human or environmental health if applied incorrectly. The temporary policy does not permit registered applicators to do more than what is otherwise authorized under the statute and rules. |
| Is the training program permitted under the temporary process approved by Director and does it meet the requirements of MCL 324.8314? | Yes. The training program authorized under the temporary policy was developed through a partnership between MDARD and MSU and meets the requirements of MCL 324.8314. |
| Is the exam provided under the temporary policy approved by the director as required by MCL 324.8314? | Yes. The registered applicator exam offered under this temporary program was developed and approved by MDARD. |
| Will an applicant receive a valid registration certificate from the Director if they comply with temporary policy? | Yes. An applicant who completes the training and passes the exam as provided for under the temporary policy will be issued a registration certificate by the Director. |
| How will an applicant receive their temporary registration permitted under MCL 324.8314(7) under the policy? | Applicants may use the signed verification form as their temporary registration under this policy. |
| Will MDARD comply with the requirements of MCL 324.8314(12) and make the forms required | Yes. All documents and forms required to implement the policy will be available to applicants and applicators on MDARD's website. |

| | |
|--|---|
| under the temporary policy available? | |
| Does the temporary policy comply with the requirements of Administrative Rule 285.636.8 which requires applicants to demonstrate by examination their practical knowledge of the basic principles of pest management, pesticide label comprehension, and the safe use of pesticides? | Yes. Although MDARD normally administers the exams, neither the statute nor rules require that only MDARD can administer the exam. The temporary policy permits an approved trainer to administer the exam. MDARD has determined that this is consistent with statutory and regulatory requirements. |
| Does the training program provided for under the temporary policy cover the general standards that are required to be addressed by Rule 636? | Yes. The training program developed by MDARD and MSU covers the general standards specifically identified in R285.636.8(2). |
| Does the training program provided for under the temporary policy provide category specific training as required by the administrative rules? | Yes. The temporary policy requires that the trainer provide both the general training developed by MDARD and MSU as well as category specific training that focuses on the specific pests and equipment the applicant will be using once they are registered. |
| Does the temporary training policy affect the ability of noncertified or nonregistered applicators to provide general use pesticides as part of a two-week training program under the supervision of a certified applicator? | No. The two-week training program is unaffected by this temporary policy. |
| Is the exam being administered under the temporary policy administered by the director or his or her representative as required by R285.636.9(1)(a)? | Yes. Under the temporary policy and for purposes of administering the exam, the trainer is being designated as the MDARD's representative. All applicants will need to score at least 70% on the exam to pass. |
| Will trainers under the temporary policy meet the requirements of R.285.636.11? | Yes. All trainers under the temporary policy must be currently certified in each category they will be providing training for and must have two years of experience. The guidance document the trainers are required to read and understand is MDARD's approved training program for the trainers under the temporary policy. MDARD will authorize trainers that meet this criteria and pass an oral examination to administer the training. |