

SOUTH DAKOTA DEPARTMENT OF Agriculture

PESTICIDE APPLICATOR NEWSLETTER



Winter 2007 Issue 35

2007 Commercial Applicator Recertification Training

Certification and licensing packets were sent to commercial applicators in mid-December. The packets included a list of individual certification categories and the expiration date for those categories. This information will help you decide whether or not you need to attend a recertification session. Instructions for the pre-registration system included on page 2 of this newsletter, along with dates and locations of recertification meetings.

The certification and licensing packet contains a list of the categories presented at each location. Check your certification needs and be sure to attend the appropriate location. Some of the training locations will have limited categories. Each applicator must insure that they have a valid license, with the proper category certifications to apply pesticides.

Notices were mailed to the most recent address we have on record. **If you have a change of address, please contact the department with those changes.**

Also, please check the expiration date on your license. If it expires on February 28, 2007, you must submit your renewal by March 1, 2007 to avoid late fees.

It is important that applicators check in at the beginning of the recertification training. By checking in, applicators are automatically added to the list of attendees. Applicators who do not check in will not receive credit for attending. Verification of attendance for the entire session will be done with sign out sheets throughout the day. Attendees must have a photo ID when testing and attending certification meetings.

Commercial Applicator Training Categories

The need to provide more focused training and reducing the size of the group at some facilities has prompted us to change the schedule. CCA credits will be offered for the general and category 1A-1C training.

- Category 1C-Ag. Plant Pest-Fungicide section begins at 8:45AM. Followed by:
- Category 1B-Insecticides. Followed by:
- Category 1A-Herbicides. This completes the morning session.
- General category training after lunch and concluding at 2:45P.M.
- Category 7-Right of Way session will start after the afternoon break.

If you have any questions please call Jim Wilson, SDSU at 605-688-4752 or Steve Spittler Department of Agriculture at 605-773-4432.

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Phone 605/773-4432*

2007 Commercial Applicator Training Dates

Commercial Ground Applicator Recertification –Categories G, 1A, 1B, 1C, 2, 5, 7.

Mitchell	Monday, January 22, 2007	Davison County Extension Building
Rapid City	Tuesday, January 23, 2007	Ramkota
Pierre	Wednesday, January 24, 2007	Ramkota
Watertown	Thursday, January 25, 2007	Ramkota
Sioux Falls	Monday, January 29, 2007	The Oakes
Yankton	Tuesday, January 30, 2007	Kelly Inn
Aberdeen	Wednesday, January 31, 2007	Ramkota
Brookings	Monday, February 12, 2007	Brookings Inn
Fargo, ND	Wednesday, February 28, 2007	Tri-State Aerial Convention, Holiday Inn
Sioux Falls	Wednesday, February 7, 2007	Landscape Association Conference, Category G, 3, 4
Rapid City	Wednesday, February 21, 2007	Urban Forestry Conference, Category G, 3, 4
Numerous locations	Tuesday, February 13, 2007	Interactive Video System-Ornamental Turf, Category G, 3, 4
Numerous locations	Tuesday, February 27, 2007	Interactive Video System-Public Health, Category G, 9
Numerous locations	Tuesday, January 9, 2007	Interactive Video System-Wood Preservation, Category 15, G

Internet Pre-Registration System for Commercial Applicators

Internet pre-registration for commercial applicator meetings and for payment of training and licensing will again be used this year.

The system allows individuals or companies to sign up for classes in one or more locations. A company can pre-register for training and pay for licensing for all of the individuals under their employment. The user can then print a receipt that shows the dates and locations they registered to attend class. Users will need to use a MasterCard or Visa credit card for payment.

Users can use either the individual or company options available. The individual option asks for the applicator's ID number, which is the barcode number on their license. The system then shows which categories they need to recertify in and which locations offer those categories. Next, they will need to select a location and the classes they plan to attend and finally pay for their classes and licensing with one payment.

The company option is similar to the individual option, but the company can enter its name and see all the employees associated with it. The company will then be able to select which individuals will attend class, where they will attend and pay for the classes along with the licensing for all employees.

In both cases, after payment is approved online, the user will be automatically directed to a receipt page that will detail their billing, and then the user will be able to print out a receipt for their records.

The two main advantages to this system are each applicator or company will pay only once for both the training fee and license fee and it provides the applicators with a more convenient service. Detailed instructions were included in the pre-registration packet that was sent out in mid-December. Applicators can also pay for classes via mail, but it costs \$40, rather than the \$30 fee if paid by internet.

The internet address to access the pre-registration site is located on the Department of Agriculture's website at www.state.sd.us/doa/das/ecat/index.htm. If applicators do not have internet access, the local extension office or library may be able to provide internet access. Please contact the Department of Agriculture with any questions at 605/773-4432.

Grain Fumigation Requirements and Use

The only way to effectively and safely use phosphine fumigants is to use them as the product label directs. It is important to remember these substances are toxic and potentially harmful to humans. Using approved application methods and placarding all storage bins containing treated grain and transports carrying fumigated grain are our best means of ensuring the safety of all grain handlers.

Commodity Temperature: Phosphide labels require the internal commodity temperature be tested before the fumigant is applied. If the internal commodity temperature is below 40 degrees F, fumigation is not to be conducted as the temperature is too low for the phosphide tablets to react. If applied to cold grain, unspent tablets will not begin to react until the temperature rises.

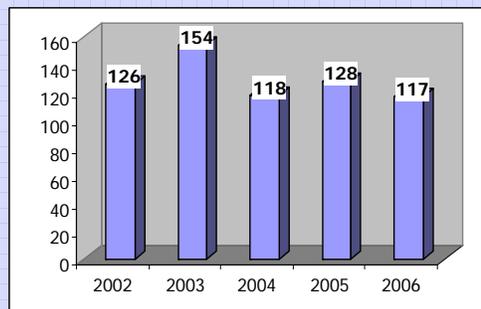
Phosphine gas produced in a sealed area can cause severe poisoning to an individual upon opening. This is especially true when placards are not attached to warn grain handlers of the danger with commodity shipments.

Placarding: Phosphide labels require the applicator to placard or post all entrances to the fumigated area with signs bearing:

- 1) The signal word "DANGER" and the skull and crossbones symbol in red.
- 2) The statement, "Area and or commodity under fumigation DO NOT ENTER."
- 3) The statement, "This sign may only be removed after the commodity is aerated (contains 0.3 ppm or less phosphine gas). If incompletely aerated commodity is transferred to a new site, the new site must also be placarded and workers must not be exposed to more than 0.3 ppm phosphine."
- 4) The date and time fumigation begins and is to be completed.
- 5) Name of fumigant used.
- 6) Name, address and telephone number of the applicator. Placards on railroad cars must be placed on both sides of the car near all ladders, hatches and doors. Placards may not be removed until the treated commodity is completely aerated. The commodity must be monitored until it contains 0.3 ppm, or less, phosphine gas in the air space around and, when feasible, in the mass of the commodity. If more than

Pesticide Complaints for 2006

The Department of Agriculture investigates pesticide complaints reported to the Department. This year there were 117 pesticide complaints compared to 128 complaints for 2005. The five year average is 127 complaints per year.



2006 Pesticide Record Inspection Summary

This year there were 56 routine commercial applicator record audits conducted. This resulted in 19 warning letters issued for incomplete records. There were 55 routine Restricted Use Pesticide Audits completed. These audits resulted in 6 warning letters issued for incomplete records and 5 monetary settlements for sales or purchases by uncertified persons. There were 150 individuals selected this past year for private applicator records. All enforcement issues for private applicator are handled by the USDA.

0.3 ppm is detected, the placard must be transferred with the treated commodity.

Failure to properly placard fumigated areas may expose inspectors, samplers, and other grain handlers working in and around the commodity to dangerous levels of fumigants. Because applications to commodities are not obvious if placards are not properly posted, individuals may not realize the grain has been treated until after exposure has occurred. Vehicles under fumigation cannot be transported over public roads or highways.

Monitoring Devices. Various types of monitoring devices are available for determining fumigant concentrations in commodities. Accurate readings are obtained by using the instrument according to the instructions and by selecting the appropriate monitoring tube for the fumigant being used. *(Continued on page 5)*

EPA New Standards for Pesticide Container and Containment Structures

The following is a summary of the EPA final regulations on Standards for Pesticide Container and Containment Structures compared to the South Dakota rules.

The regulations on pesticide containers pertain to non-refillable containers and refillable containers. Those affected by the 2006 final regulations are the registrants, repackagers (retailers, distributors), bulk pesticide facilities, commercial applicators and custom blenders.

The non-refillable container regulations affect the registrants by requiring DOT compliant container design, construction and marking standards, container dispensing, standard closures, residue removal and record keeping.

Refillable container regulations affect the registrants and refillers by requiring DOT container design, construction and marking standards, serial number marking, and one way valves or tamper evident devices and stationary container requirements. Registrants must develop an expectable cleaning procedure and a list of acceptable containers. Container labeling requirements are to identify containers as non-refillable (all), statements to prohibit reuse and offer for recycling, batch codes (all non-refillable), cleaning instructions (some non-refillable) and cleaning instructions before final disposal (all refillable containers).

The secondary containment structure requirements affect all bulk pesticide retailers, commercial applicators and custom blenders. All of these facilities will need secondary containment around tanks, pads for loading/unloading or rinsing, monthly inspections of tanks and record keeping.

South Dakota requires new or existing secondary containment for ag retailers and farmers that have bulk pesticide tanks on the farm. Any container that is 300 gallons or more must be in a secondary containment. The containment must have a capacity of 110% of the volume of the largest container plus the volume of the butts of all the other tanks inside it. This applies to containment inside or outside of a building. The EPA requires secondary containments for tanks that have a capacity of 500 gallons or more. The containment must have a capacity of 110% for containment outside of buildings and 100% capacity for inside buildings. EPA requires that existing secondary containment have a capacity of 100% (inside or outside). South Dakota requires secondary containment for rinsate tanks that are not moved from an area for 14 days or longer. The EPA does not require secondary containment for rinsate tanks.

South Dakota allows secondary containment to be constructed of steel, earth berm with a liner that is compatible to the pesticides being stored, poly-cross linked polyolefin (specifications required) and concrete (no concrete blocks). The EPA requires steel, reinforced concrete or other materials capable of the hydrostatic head of the load placed on the structure. Unfired clay and asphalt are prohibited. All structures must be liquid tight with cracks, seams and joints sealed for both EPA and South Dakota. South Dakota recommends using NPII Sonolastic caulk for sealing cracks.

Contained pesticide dispensing areas have been required in South Dakota since May 1, 1995. Retailers must have an operational area to load/unload or rinse equipment. South Dakota rules require containment of loading/unloading areas of greater than 1,500 pounds of pesticide active ingredient annually, within 150 ft of a well, stream, streambed, lake, within 200 ft of a populated buildings, either commercial or residential premises or within 500 ft of a well used as public water supply. The minimum capacity required for the area is 250 gallons or 100% of the tank that is being loaded or unloaded. EPA requires a pad if ag pesticides are dispensed from containers designed to hold pesticides greater than 500 gallons or 4000 pounds of dry pesticides for any purpose.

EPA requires flotation prevention on stationary pesticide containers for both new and existing containers. The containers must be anchored or elevated to prevent flotation. South Dakota does not require flotation prevention.

EPA requires storm water management to prevent water and other liquids from seeping into or flowing onto adjacent land or structures. South Dakota requires that the water be tested and disposed of at normal pesticide rates or the water can be pumped over the containment if the containment was previously cleaned.

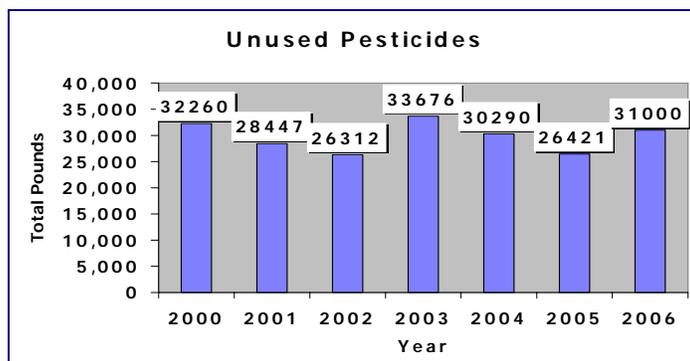
For more information please contact the South Dakota Department of Agriculture at 605-773-4432.

Prairie Dog bait sales increasing

The Department currently makes available zinc phosphide bait. The 2% zinc phosphide bait is sold in 25 and 50 pound bags and labeled only for prairie dog control. The Department has sold 274,500 pounds of bait since July 1, 2006 a 52% increase ahead of last year. This toxicant is classified as a restricted use pesticide by the EPA. More Prairie Dog info is available at www.state.sd.us/da/das/hp-bait.htm.

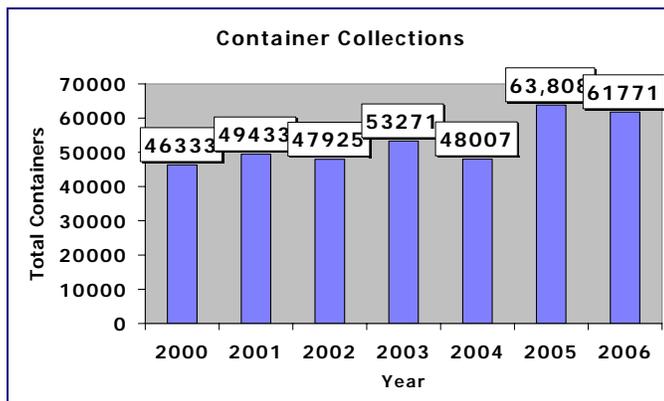
2006 Unusable Pesticide and Container Collections

The department collected 31,000 pounds of unusable pesticides this year. Since 1992, over 439,809 lbs. of unusable pesticides have been collected and properly disposed of through the program.



2006 Pesticide Container Collections

The Pesticide Container collections were held in July and August at 32 sites across the state. In 2006 there were 61,771 containers collected. All containers were taken to two permanent collection sites (Pierre or Vermillion) to be granulated for recycling. In 2005, 63,808 containers were collected at 29 sites. Since the program began in 1992, approximately 664,898 containers have been collected and recycled totaling approximately 360,378 lbs of plastic.



Grain Fumigation Requirements *(Continued from page 3)*

Fumigant Safety Direct inhalation of toxic phosphine fumes may cause weakness, tremors, vomiting, coughing, difficult or labored respiration, and possibly pulmonary edema. For safety purposes, phosphide labels require applicators and grain handlers to wear respiratory protection during exposure to grain fumigant concentration in excess of 0.3 ppm, or when concentrations are unknown. Fumigation of grain is considered a pesticide application. An application made by an elevator employee to co-mingled grain is considered a commercial application. Therefore, in accordance with South Dakota Law, each application of a pesticide, including phosphine, to storage bins, railcars or other sites, requires completion of commercial pesticide application records. Private applicators must also maintain records for restricted-use pesticide applications made to their stored grain. When illegal phosphine residues have been identified in South Dakota grain, the following violations have been most frequently cited. **1)** Bins and railcars are not being placarded as required by product labels. **2)** Application records, as required by South Dakota Law, are not being kept. **3)** Applicators are not getting certified in the proper category to apply fumigants. Information about grain fumigation may be found at www.state.sd.us/doa/das/phosphin.htm.

EPA issues final rule on aquatic pesticide applications

The EPA has issued a final rule clarifying two specific circumstances in which a Clean Water Act permit is not required before pesticides are applied.

The two situations are when:

- Pesticides are applied directly to water to control pests, including mosquito larvae, aquatic weeds and other pests in water.
- Pesticides are applied to control pests that are present over or near water where a portion of the pesticide will unavoidably be deposited to the water in order to target the pests effectively.

After considering two rounds of public comments, EPA concluded that the Clean Water Act does not require permits in these two situations.

“This clean water rule strengthens and streamlines efforts of public health officials and communities to control pests and invasive species while maintaining important environmental safeguards,” said EPA assistant Administrator for Water, Benjamin H. Grumbles.

The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) requires that pesticide be registered with the EPA before they can be sold or distributed. Before they are registered, they must undergo extensive study and review to help ensure that, when properly used, they do not cause unreasonable adverse effects on human health and the environment. Pesticide labels contain application instructions. Applications of pesticides that violate the FIFRA labels are subject to enforcement.

The final rule replaces EPA’s Interpretive Statement on the Application of Pesticides to Waters of the United States in compliance with FIFRA, published on February 1, 2005

To read more about this ruling go to www.epa.gov/pesticides.

Iowa unveils “Chemical Lock” to clamp down on U.S. Meth Labs

A new chemical tool to combat the illegal production of methamphetamine nationwide was unveiled recently by Iowa Governor Tom Vilsack, Secretary of Agriculture Patty Judge, U.S. Senator Tom Harkin and Congressman Leonard Boswell, along with representatives of the Agribusiness Association of Iowa, the U.S. Drug Enforcement Administration and a host of other officials. The announcement was made in front of an Anhydrous Ammonia fertilizer nurse tank bearing a STOP METH sign. “Iowa continues to be a leader in pioneering meth-fighting strategies that benefit the nation,” said Vilsack in announcing Iowa State University researchers have found that Calcium Nitrate works as an effective meth inhibitor when added in prescribed amounts to Anhydrous Ammonia.

The Iowa State research, confirmed by the U.S. Drug Enforcement Administration’s forensics lab, found that meth cooks who use untreated Anhydrous Ammonia typically get a 42 percent yield of pseudoephedrine for conversion to meth. However, that yield drops to two percent or less when the Calcium Nitrate inhibitor is added.

This compound will be a meth cook’s worst nightmare, it is a safe product, and has no negative impact on our environment or farm equipment.

Anhydrous Ammonia is used in one of two primary meth production methods, and is the method of choice in agricultural states where Anhydrous Ammonia is commonly used as a fertilizer. In Iowa this year, 93 percent of the State’s 259 meth labs have been the Anhydrous Ammonia type.

Researchers say the chemical reaction between Anhydrous Ammonia and Calcium Nitrate also means more is less, because meth cooks who try using more of the treated Anhydrous Ammonia to defeat the inhibitor will actually produce even less meth. Use of the new meth inhibitor will be on a voluntary basis in Iowa. Ag retailers who participate will receive the formula for injecting Calcium Nitrate into Anhydrous Ammonia, as well as the Agribusiness Association of Iowa’s STOP METH signage for placement on their nurse tanks. (Source: State of Iowa press release, Monday, October 9, 2006).

Leak Detection Required for Storage of Bulk Liquid Fertilizer

Every year, the South Dakota Department of Agriculture conducts routine inspections at bulk retail fertilizer and pesticide facilities throughout South Dakota. One common violation is storage of liquid fertilizer tanks without a leak detection system.

Bulk liquid fertilizer secondary containment must have a leak detection system located under the containment area. The system is used to determine if the secondary containment is functioning properly and to protect fertilizer from leaking into ground and surface water.

The leak detection system consists of a sufficient number of slotted gravity collection pipes connected to monitoring pipes outside of the containment. This system can detect leaks of the secondary containment system. The collection pipe can have no greater than a six foot span on either side and no greater than a twelve foot span between two pipes. Other methods of leak detection may be utilized if granted prior approval.

Leak detection must be monitored once a month. Upon detection of any liquid within the monitoring system, the operator of the bulk commercial fertilizer storage facility must immediately:

- (1) Notify the Department of Agriculture(773-4432) or Emergency Management (773-3231).
- (2) Obtain a sample of liquid and submit the sample to a reputable laboratory for analysis to determine if the sample contains fertilizer, pesticide or both;
- (3) Take necessary action to determine the cause of the liquid entering the leak detection system and correct it; and
- (4) Provide the Department of Agriculture with a copy of the sample analysis results as soon as they are available.

Monthly monitoring records are required and must include: (1) Name of the person conducting the monitoring ;(2) Day, month, and year monitoring was conducted; and (3) Time of day the monitoring was conducted. These records must be maintained for the life of the facility at the office of the person responsible for the bulk commercial fertilizer storage facility. For more info www.state.sd.us/doa/das/.

Seed Treatment and Fumigant Use Require Pesticide Certification

Commercial Applicators -As a reminder, rootworm control products and other seed treatment products require that a commercial applicator is certified in Category 5, Seed Treatment. The use of fumigants also requires certification in Category 14, Grain Fumigation Pest Control.

Initial certification for these categories may be attained by taking an open book exam at your local extension office. Recertification can be obtained at recertification classes offered by the department. Category 5 is offered every year while Category 14 is offered every other year.

Private Applicators – Many rootworm control and grain fumigation products are also restricted use pesticides. Private applicator certification is required to purchase or use these pesticides. Private applicators can become certified by taking an exam at your local extension office, testing online at www.state.sd.us/doa/das/pwt or by attending a local certification meeting hosted by local extension offices.

Private applicators who apply non-restricted pesticides to any ag commodity with gross sales potential of more than \$1000 are also required to obtain private applicator certification.

Dealers License Required for Each Outlet

With all the mergers and buyouts in recent years, it may be possible that outlets may not be properly licensed. Dealers selling restricted use pesticides (RUP's) are required to hold an RUP dealers license. This includes each outlet or satellite location that sells restricted use pesticides. In addition the dealer licenses are not transferable in the event of a change of ownership or license holders.

As specified in section 38-21-33.4 of the state pesticide statute, a pesticide dealer license shall be required for each location or outlet located within this state from which (RUP) pesticides are distributed.

DEPARTMENT OF AGRICULTURE
Division of Agricultural Services
Office of Agronomy Services
523 East Capitol – Foss Building
Pierre, South Dakota 57501-3182

Bulk Rate
U.S. Postage
PAID
Permit #1209
Sioux Falls, SD

ENFORCEMENT CASE UPDATE

West – The Department received a report of a pesticide application that may be causing contamination of surface water. The Department determined that the applicator made an off label application when the pesticide was used in a surface water runoff area. The applicator settled the matter by payment of \$440.

Northeast – While doing a routine inspection, the Department of Agriculture found that two out of state applicators (with the same company) were making commercial pesticide applications in South Dakota without a South Dakota applicators license. The applicator settled with the Department by payment of \$1890.

Central - The Department received a report that an applicator was broadcast spreading prairie dog bait. The Department determined that it was an off label application and the applicator settled with the Department by payment of \$300.

Southeast – The Department received a report of an off label application of a rodent poison. The Department found that the applicator made a pesticide application for pests not listed on the label and using application methods not listed on the label. The applicator settled with the Department by payment of \$1375.

Southeast – During a routine inspection, a pesticide dealer was found to have made two sales of restricted use pesticides to uncertified persons. The dealer settled the matter by payment of \$385. The two uncertified purchasers settled with the Department by payment of \$70 each.