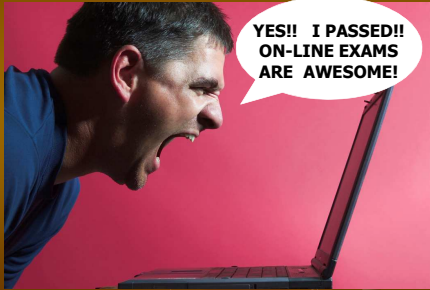


# 2014 Tri River Area Pest Management Workshop Laws & Regulations II

## On-line Examinations



## On-line Examinations

- CDA has contracted with Metro Institutes to provide computer based examinations
- CDA and CSU locations
  - Lakewood – CDA office
  - Grand Junction CSU Extension
  - Sterling CSU – Northwest Regional Engagement Center
  - Lamar - CSU Extension
  - Center – San Luis Valley Research Center
  - Cortez – CSU Extension
  - Fort Collins – CSU Campus

## On-line Exams

- All examinations are now scheduled online.
- All examination fees are also required to be paid online.
- The examination fee is now \$30.00 for each exam as a result of the new examination procedures.

## On-line Exams

- No longer can applicators take the exam multiple times
- Testers are able to take only the examinations that they have scheduled and pre-paid for on the scheduled date and at the scheduled location



## On-line Exams

- For security purposes, you must have a valid e-mail account, without a valid e-mail account you will not be able to proceed with the examination process.
- No walk ins



**COLORADO DEPARTMENT OF AGRICULTURE**

Navigation: About Us | I'm a Producer | I'm a Consumer | Learn about Ag | Divisions | Newsroom | Contact Us | Site Map

Home > Online Testings Pesticide Programs

**Pesticides Programs**

We regulate pesticide distribution and use in the state to prevent adverse effects on the individual and the environment.

We inspect the sales of Restricted Use pesticides and the use, storage and disposal of pesticides and certain devices for Pesticide application.

There are 2 programs, the Pesticide Applicator program and the Pesticide Registration program. To select a program click on its link on the left hand navigation bar:

John Scott  
Pesticides Program Manager

**NEWS**

Commercial Applicator: Online Testings now live! ←

2014 Pesticide Applicator Newsletter now available

**Pesticides - Latest NPDES News**

- [COPPE Issue that Colorado NPDES Pesticide permit](#)
- [EPA NPDES Pesticide General Permit posted online by EPA](#)
- [EPA Pesticide Tolerances List](#)
- [Colorado Pesticide Application Association Workshop on NPDES General Permit](#)
- [EPA's new pesticide registration Memorandum of Understanding](#)

**Pesticide Applicator News**      **Pesticide Registration News**

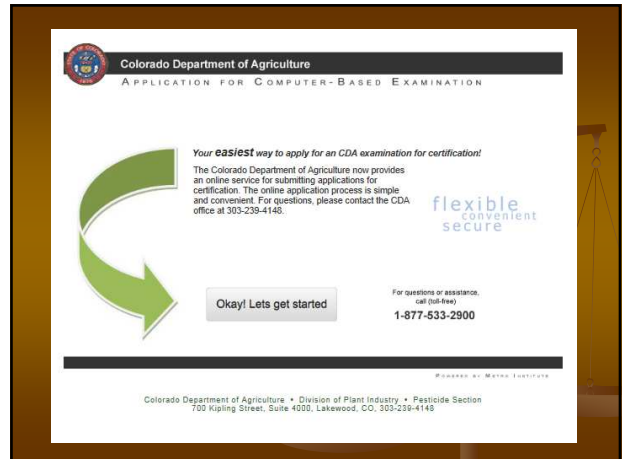
- [Proposed General Permits for Discharges from the Application of Pesticides in Colorado](#)

# 2014 Tri River Area Pest Management Workshop Laws & Regulations II

## On-line Exams

- Takes you to an overview of the scheduling and examination process...then prompts you to...

**“Begin the Metro Institute  
Online Pesticide Applicator Exam  
Application”**



## Taking Your Exam

- Security – picture will be taken
  - CDA may use on future licenses
  - Moving to a plastic ID licensure card
- Will see immediately if you passed or failed
- Proctor site will provide a record of exam and licensure information
- CDA will still process all licenses from Lakewood location



## Future On-line Exams

- By 2014
  - Adding graphics to exams
    - Pest ID
    - Labeling questions
- Additional locations considered
- Soil Fumigation challenge exam

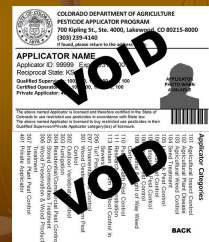


## Applicator Testing

- CDA has been providing remote computer based testing for over 15 months
- System / procedure kinks have been worked out

## Applicator License Cards

- CDA has been issuing plastic applicator license cards since July 1, 2013
  - New licensee
  - Upgraded license
  - Added category
  - Renewals
  - One license for all categories



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### Applicator License Cards

- Why plastic cards

- Durable
- Applicator photograph
- UPC bar

### Applicator License Cards

- Any testing location can take your picture
- Call the testing location (except for CDA – Lakewood) first to make sure someone is there to do it
- Phase in approach for current license holders – CDA will issue plastic cards upon renewal
- CDA will charge \$10.00 for replacement licenses
- In the future CDA may use the UPC bar for CEC workshop attendance verification

### Business Practices

- All licensees must inform the Commissioner in Writing of any changes in their address, phone number, employment status in how many days???
- A. 10 days
- B. 30 days
- C. Never
- D. 15 days

- 15 Days

### New Study Guides and Exams

- New Study Guide:
  - Agricultural Plant Disease Control
- New Exam:
  - Category 102 – Agricultural Plant Disease Control

### Upcoming Guides

- Agricultural Weed Control
  - CDA / CSU and subject matter experts (applicators) review the existing study guide
  - Job duties / knowledge need to are analyzed
  - Changes to the guide are made
  - Revised guide is published

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## Enforcement

- Cease and Desist Orders
  - July 1, 2012 to June 30, 2013
    - Twenty two Cease and Desist Orders were issued to companies / farms / individuals
      - Thirty one violations occurred

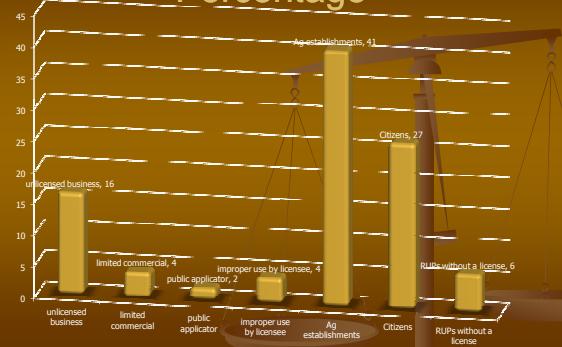
## Enforcement Jan. 1, 2013 through Dec. 31, 2013

- Cease and Desist Orders to Businesses
  - 8 CDOs for unlicensed businesses
  - 2 improper use of pesticides
  - 2 using RUPs as a Limited Commercial Applicator without registering
  - 1 Using RUPs as a public applicotr without registering

## Enforcement Jan. 1, 2013 through Dec. 31, 2013

- CDOs to Individuals or Agricultural Establishments
  - 20 CDOs to Ag Establishments for WPS violations
  - 13 to individual citizens for improper use (Improper mothball use was a reoccurring issue)
  - 3 Using RUPs as a Private Applicator without a license

## Cease and Desist Orders Percentage



## Complaints

- Forty two complaints were filed January 1, 2013 through December 31, 2013
- Fifty two investigations resulting from complaints were resolved.

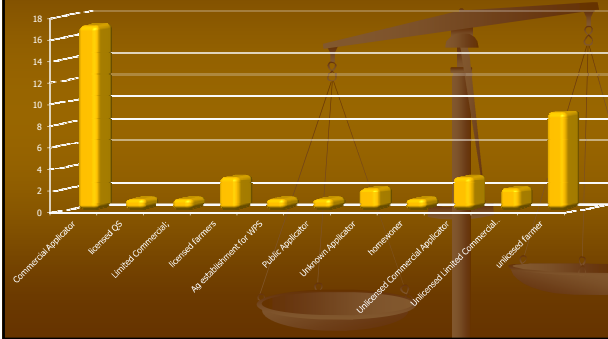
## 2013 Complaints

Total Cases opened calendar year 2013 was 41. Lawn care applications generated the most complaints, with residential/commercial structural applications generating the next most.



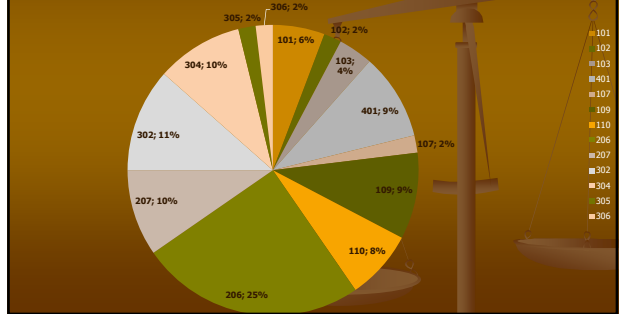
# 2014 Tri River Area Pest Management Workshop Laws & Regulations II

## 2013 Complaints by applicator type

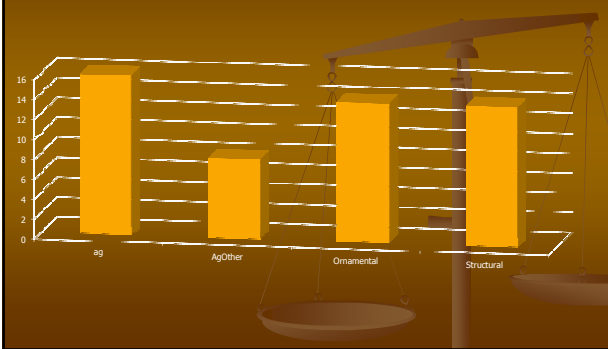


## 2013 Cases Resolved, 52

Total case resolved in calendar year 2013 was 52. Lawn care applications cases were the most resolved complaints and outdoor vertebrate applications were the second most resolved.



## Resolved cases by Type



## 2013 Resolved Cases

- Of the 52 resolved cases, 26 were dismissed, the remainder received an enforcement action.
  - 8 received civil penalties
  - 15 received CDOs
  - 3 received LOAs

## Noteworthy Cases

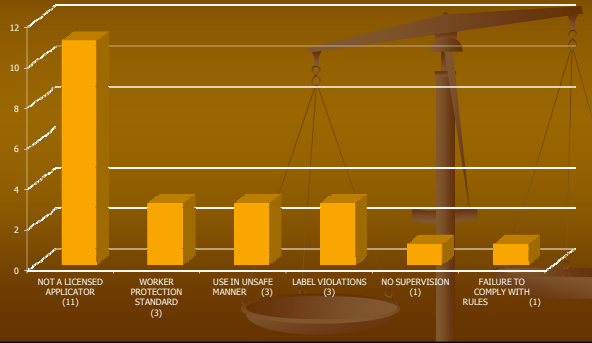
- There were several instances where individuals used mothballs on their yards that resulted in complaints and CDOs
- One case was challenged, went to an Administrative Hearing.
  - Originally a \$400.00 civil penalty was offered, but due to the challenge, all considerations were removed and the resulting penalty was \$6000.00, which has been paid in full.

## Violations Issued

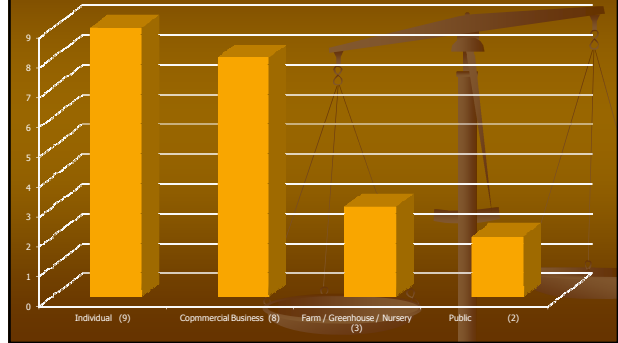
- 32 Individuals or Entities received Violations in 2013
  - Focus was given to Agricultural Establishments
    - 29 violations for WPS related issues among 26 entities
    - Another 5 entities received violations not complying with rules
  - Only 1 violation was issued to a licensed commercial applicator for record keeping issues

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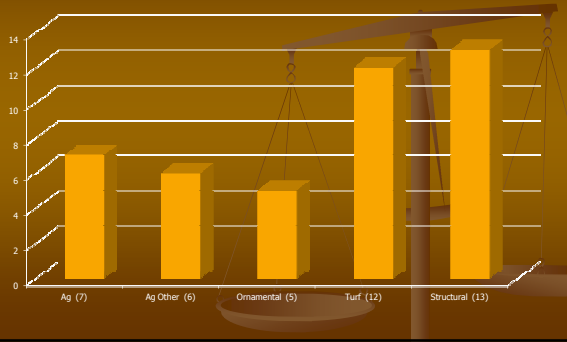
## Cease and Desist Orders



## CDO's By Applicator Type



## Complaints By Category Type



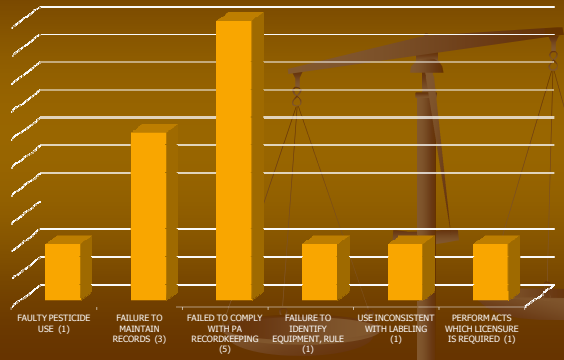
## Complaints

- Unusual Event Last Year
- Nine Complaints involved Category 302 – Outdoor Vertebrate

## Violations

- Violation Notices were issued to 12 companies / farms / individuals

## Violations By Type



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### Record Keeping

- How long must a Commercial Applicator, Public Applicator, Limited Commercial Applicator or Private Applicator maintain records of pesticide applications.
- A One year.
- B Five years.
- C Three years.
- D Two years.

- Three Years

### Restricted Use Purchase ??

- A Person with only a Qualified Supervisors License in the 109 (Industrial Right of Way) can purchase a RUP product used to control outdoor Vertebrate
- A True
- B False

- False

### Adequate Supervision?

- A Qualified Supervisor can manage up to how many technicians??
- A Five
- B Fifteen
- C Ten
- D Twenty five

- 15 Technicians

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### Private Applicator ??

- The holder of a Private applicator card can use a Restricted Use Product to control weeds in a parking lot of a business they own??
- A True
- B False

- False, a private applicators card is used for the purpose of producing an agriculture commodity. Subpart D 2.49

### Rangeland ??

- A qualified supervisor licensed in (107/Rangeland) can apply herbicide to a house surrounded by rangeland right up to the home itself.
- A True
- B False

- False, Any herbicide applications with in 50 Feet of the home would require the applicator to have the Turf/206 category.

### Thank You

- Members of The Colorado Department of Agriculture will be here for the conference.
- Feel free to contact any of us for any questions.
- Good records and practices are like good insurance. Thank You for your time.