

**PROPOSED REGULATION OF THE
DIRECTOR OF THE STATE DEPARTMENT OF AGRICULTURE**

LCB File No. R147-08

July 3, 2008

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 555.390 and 555.400.

A REGULATION relating to pesticides; revising certain reporting requirements for a person who is licensed to apply pesticides in the aerial or agricultural ground field; and providing other matters properly relating thereto.

Section 1. NAC 555.410 is hereby amended to read as follows:

555.410 Each person subject to the provisions of NAC 555.400 shall:

1. Keep a record for 2 years of each property treated, showing:

(a) If the person is licensed in the aerial or agricultural ground field:

(1) The date of the treatment.

(2) The full name of the person for whom and the county where the treatment was conducted.

(3) The full name of the pilot or applicator doing the treating.

(4) The crop or site treated.

(5) The number of units treated, including, without limitation, the number of acres or miles or fraction thereof.

(6) The brand name or generic name of the pesticide that was applied, the registration number assigned to the pesticide by the Environmental Protection Agency and the dosage applied.

- (7) The purpose for which the crop or site was treated.
- (8) The time the treatment was started and the time the treatment was finished.
- (9) The temperature at the start and finish of the treatment.
- (10) The wind velocity and wind direction at the start and finish of the treatment.
- (b) If the person is licensed in the urban and structural field:
 - (1) The date of the treatment.
 - (2) The address where the treatment was conducted.
 - (3) The full name of the applicator.
 - (4) The site treated, including, without limitation, the kitchen, the crawlspace beneath the structure, and the yard or area surrounding the structure.
 - (5) The brand name or generic name of the pesticide that was applied and the registration number assigned to the pesticide by the Environmental Protection Agency.
 - (6) The total amount of any diluted pesticide and the concentration of the pesticide that was applied.
 - (7) If the treatment is conducted in the categories of ornamental and turf, right-of-way, aquatic or fumigation:
 - (I) The temperature at the start and finish of the treatment.
 - (II) The wind velocity and direction at the start and finish of the treatment.
 - (III) The area of any turf or ground treated.
 - (IV) The area or volume fumigated.
 - (8) If the treatment is conducted in the category of structural pest control and the treatment is a preconstruction treatment, a copy of the Housing and Urban Development-National Pest

~~[Control]~~ *Management* Association Form 99-B entitled “New Construction Subterranean Termite Soil Treatment Record” or:

(I) If a vertical application of a termiticide other than a preconstruction treatment that is applied directly to wood, the depth of the application of the treatment as measured from the soil to the top of the footing and the total linear footage of the footing;

(II) If a horizontal application of a termiticide is applied, the total number of square feet treated; and

(III) The information provided on the tag for preconstruction treatment as required by paragraphs (b) to (i), inclusive, of subsection 1 of NAC 555.428.

↪ The Housing and Urban Development-National Pest ~~[Control]~~ *Management* Association Form 99-B is available from CBS Forms by mail at 10109 Tiburon Drive, Florence, Kentucky 41042, from CBS Forms by telephone at (800) 324-7676, from CBS Forms at the Internet address <http://www.cbsforms.com/> or from the United States Department of Housing and Urban Development Client Information and Policy System, free of charge, at the Internet address ~~[http://www.hudclips.org/sub_nonhud/html/pdfforms/99b.pdf]~~ <http://www.hud.gov/offices/adm/hudclips/forms/files/99b.pdf>. A pack of ~~[400]~~ 50 forms may be obtained from CBS Forms for the price of ~~[\$28.]~~ \$19.95, plus shipping and handling.

2. Keep a copy of each report prepared pursuant to NAC 555.430 for 5 years after completing the report.

3. Report immediately to the Director:

(a) Any emergency dumps of pesticides by aircraft, and accidents of aircraft loaded with pesticides or ground equipment involving the spillage of pesticides; or

(b) The spillage at sites of operations of unmixed pesticides that are detrimental to persons, wildlife, domestic animals or crops.

4. Report to the Director within 48 hours any cases of apparent pesticide poisoning requiring medical treatment.

5. ~~{File}~~ *If the person is licensed in the aerial or agricultural ground field, file* with the Director on forms to be furnished by him a monthly report of *all* pest control operations , *including those operations* involving the use of restricted-use pesticides , for each month in which such operations occurred. The report must:

(a) Be filed on or before the 15th day of the following month; and

(b) ~~{If the person is licensed in the aerial or agricultural ground field:~~

~~——(1) Include all pest control operations, including those operations involving the use of restricted use pesticides; and~~

~~——(2)}~~ Be filed for those periods during which no operations were conducted unless written notification is given to the Director declaring that operations have ceased.

6. Submit to the Director any reports or records he requests.