

Economic Impact Statement

LSA Document #09-812

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

IC 4-22-2.1-5 requires an agency to submit a statement concerning the economic impact of any proposed rule on small businesses to the Indiana Economic Development Corporation (IEDC) and publish it in the Indiana Register. The proposed rule is to certify those that apply fertilizer material show a minimum competency.

IC 4-22-2.1-5(a)(1): Estimated Number of Small Businesses Affected

When fully implemented the program is projected to have an estimated 5,500 participants, 2,200 commercial or for hire organic applicators, and 3,300 commercial or for hire inorganic applicators.

IC 4-22-2.1-5(a)(2): Estimated Average Reporting, Record Keeping, and Administrative Costs

The proposed rule imposes an annual business license fee of \$45 and \$20 for a five year certification, equivalent to \$4 per year. In addition to the exam cost, the proposed rule will also require simple application record keeping. Those facilities possessing a business license will be grandfathered, with no additional expense incurred. It is envisioned that the required record keeping is already being compiled by most and will have little associated cost.

IC 4-22-2.1-5(a)(3): Estimated Annual Fiscal Impact

Those wishing to become certified to apply fertilizer material will be required to take and pass a minimum competency exam. Once the individual has a passing score they must then apply for certification and submit a fee of \$20 and will be granted a five year certification. During that five year certification cycle, the individual will have the option to attend recertification education programs for a fee of \$25 to \$50 and will not be required to take an exam.

IC 4-22-2.1-5(a)(4): Justification of Requirements

The benefit, to those regulated individuals and the Office of Indiana State Chemist (OISC), is the protection of waters of the state justify and outweigh the costs this rule may impose.

IC 4-22-2.1-5(a)(5): Regulatory Flexibility Analysis

The proposed certification process is modeled after the OISC pesticide private applicator program. This program has been in place for 31 years, and its effectiveness in training applicators is well documented. While a voluntary certification program involving large operations was discussed and could encompass a large sector of fertilizer material application, it would not involve as many participants in the program negating an anticipated widespread benefit, as well as not meeting the state directed regulatory oversight viewed as essential.

Economic Impact Statement Summary

The proposed applicator certification program is envisioned to identify, train, and certify individuals applying fertilizer material and to promote a professionalism, which will be an enhancement to the agriculture industry. This program will also serve as an outreach to those living near the respective operations demonstrating agriculture's environmental awareness and a conscious effort to be good neighbors.

Posted: 12/16/2009 by Legislative Services Agency

An [html](#) version of this document.