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**TITLE 355 STATE CHEMIST OF THE STATE
OF INDIANA**

Proposed Rule
LSA Document #04-309

DIGEST

Amends 355 IAC 4-2-2 and 355 IAC 4-2-8 to delete references to a turf pest control technician examination that no longer exists and to eliminate the requirement to have both an applicant's and his or her supervisor's signature on an application form to become a registered technician. Effective 30 days after filing with the secretary of state.

**355 IAC 4-2-2
355 IAC 4-2-8**

SECTION 1. 355 IAC 4-2-2 IS AMENDED TO READ AS FOLLOWS:

Rule 2. Site Awareness and Direct Supervision of Noncertified Applicators

355 IAC 4-2-2 Pesticide use by noncertified persons

Authority: IC 15-3-3.6-4

Affected: IC 15-3-3.6-7

Sec. 2. ~~Pesticide~~ **Pesticides** may be used by a noncertified person working under the direct supervision of a certified applicator. All persons conducting use of pesticides for hire by aerial application shall be certified. (*State Chemist of the State of Indiana; Pesticide Use & Application Reg 2, Sec 2; filed Aug 3, 1976, 4:10 p.m.; Rules and Regs. 1977, p. 443; filed Apr 21, 1982, 3:45 p.m.; 5 IR 1192; filed Sep 20, 2001, 3:54 p.m.; 25 IR 376; readopted filed Nov 21, 2001, 10:17 a.m.; 25 IR 1269*)

SECTION 2. 355 IAC 4-2-8 IS AMENDED TO READ AS FOLLOWS:

355 IAC 4-2-8 Technician registration requirements

Authority: IC 15-3-3.6-4

Affected: IC 15-3-3.6-12.1

Sec. 8. (a) To become a registered technician, an individual must do the following:

(1) Pass the commercial applicator core examination described in ~~355 IAC 4-1-2.1(b)~~ or, if a turf technician, pass either the core examination or the registered technician examination described in ~~355 IAC 4-6-4~~. **355 IAC 4-1-2.1.**

(2) Submit an application on a form provided by the state chemist. ~~This form must be signed by both the applicant and the responsible certified applicator employed at the applicant's business location.~~

(3) Submit the thirty dollar (\$30) technician registration fee.

(b) Registration shall remain in force from the date of passing the examination through December 31 of the fourth year following the year during which the examination was passed unless revoked or suspended.

(c) The registration period may be extended indefinitely for an additional five (5) years if the registered technician accumulates at least eight (8) continuing registration credits by attending at least two (2) state chemist approved continuing registration programs while the registration is in force.

(d) Annual registration credentials shall expire on December 31 unless renewed by a payment of a thirty dollar (\$30) renewal fee by that date. Renewal after December 31 shall include a late fee of thirty dollars (\$30) as established by IC 15-3-3.6-12.1 in addition

to the thirty dollar (\$30) renewal fee.

(e) The registration credential shall be in the possession of the registered technician at all times the technician is at a work site as defined in section 1(4) of this rule. *(State Chemist of the State of Indiana; 355 IAC 4-2-8; filed Sep 20, 2001, 3:54 p.m.: 25 IR 377; readopted filed Nov 21, 2001, 10:17 a.m.: 25 IR 1269)*

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on April 12, 2005 at 9:00 a.m., at the Office of the Indiana State Chemist, 175 South University Street, Room A151, West Lafayette, Indiana the State Chemist of the State of Indiana will hold a public hearing on proposed amendments to delete references to a turf pest control technician examination that no longer exists and to eliminate the requirement to have both an applicant's and his or her supervisor's signature on an application form to become a registered technician. Copies of these rules are now on file at the State Chemist of the State of Indiana, 175 South University Street, West Lafayette, Indiana and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

David Scott
Pesticide Administrator
State Chemist of the State of Indiana