

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.8325 Rules.

Sec. 8325.

(1) The director shall promulgate rules for implementing this part, including, but not limited to, rules providing for the following:

- (a) The collection, examination, and reporting the results of examination of samples of pesticides or devices.
 - (b) The safe handling, transportation, storage, display, distribution, and disposal of pesticides and their containers.
 - (c) The designation of restricted use pesticides and agricultural pesticides for the state or for specified areas within the state. The director may include in the rule the time and conditions of sale, distribution, and use of restricted use pesticides and agricultural pesticides.
 - (d) The certification and licensing of applicators and the licensing of restricted use pesticide dealers and agricultural pesticide dealers.
 - (e) The maintenance of records by certified commercial applicators with respect to applications of restricted use pesticides.
 - (f) Good practice in the use of pesticides.
 - (g) Notification or posting, or both, designed to inform persons entering certain public or private buildings or other areas where the application of a pesticide, other than a general use ready-to-use pesticide, has occurred.
 - (h) Use of a pesticide in a manner consistent with its labeling including adequate supervision of noncertified applicators if appropriate.
 - (i) Prenotification by the building manager upon request for affected persons regarding the application of a pesticide at daycare centers and schools.
 - (j) Responsibility of a building manager to post signs provided to him or her by a commercial applicator.
 - (k) Designation of posted school bus stops as sensitive areas.
 - (l) The establishing of a schedule of civil fines for violation of local ordinances as described in section 8328(3).
- (2) By December 27, 1989, the director shall submit rules to the joint committee on administrative rules pertaining to all of the following:

(a) The development of a training program for applicators who apply pesticides for private agricultural purposes on the use of appropriate procedures for the application of pesticides; safety procedures for pesticide application; clothing and protective equipment for pesticide application; the detection of common symptoms of pesticide poisoning; the means of obtaining emergency medical treatment; hazards posed by pesticides to workers, the public health, and the environment; specific categories of pesticides; and the requirements of applicable laws, rules, and labeling.

(b) The development of training programs for integrated pest management systems in schools, public buildings, and health care facilities.

(c) The duty of commercial applicators to inform customers of potential risks and benefits associated with the application of pesticides.

(3) By June 27, 1990, the director shall submit rules to the joint committee on administrative rules pertaining to the protection of agriculture employees who hand harvest agricultural commodities regarding all of the following:

- (a) The establishment of field reentry periods after the application of agricultural pesticides.
- (b) The posting and notification of areas where pesticides have been applied.
- (c) The use of protective clothing, safety devices, hand washing, or other methods of protection from pesticide exposure.

(d) Notification of agricultural workers of poison treatment facilities.

(4) If the EPA at any time adopts and publishes agricultural worker protection standards, the federal standards shall supersede rules promulgated under subsection (3).

(5) By December 27, 1989, the director shall submit rules to the joint committee on administrative rules. These rules shall include all of the following:

(a) Minimum standards of competency and experience or expertise for trainers of certified and registered applicators.

(b) The development of a training program for applicators on the use of appropriate procedures for the application of pesticides; safety procedures for pesticide application; clothing and protective equipment for pesticide application; the detection of common symptoms of pesticide poisoning; the means of obtaining emergency medical treatment; hazards posed by pesticides to workers, the public health, and the environment; specific categories of pesticides; and the requirements of applicable laws, rules, and labeling.

(c) The number of directly supervised application hours required before a registered applicator may apply each

category of restricted use pesticide without direct supervision.

History: 1994, Act 451, Eff. Mar. 30, 1995 ;-- Am. 2008, Act 18, Imd. Eff. Feb. 29, 2008

Popular Name: Act 451

Popular Name: NREPA

Admin Rule: R 285.636.1 et seq. of the Michigan Administrative Code.