

NAC 555 proposed amendments

Plant Industry



~~Sec. 5. of R093-15 For the purpose of carrying out the provisions of NRS 555.2605 to 555.470, inclusive, the Director will construe the term “business” to include any activity performed for hire, including, without limitation, such work performed by a governmental agency.~~

~~Sec. 6. of R093-15 For the purpose of carrying out the provisions of NRS 555.2605 to 555.470, inclusive, the Director will construe the term “for hire” to exclude any activity that is: —1. Performed by a governmental activity at the request of another governmental agency; and —2. For which the requesting governmental agency did not issue a request for proposals.]~~

Sec. 10. of R093-15

NAC 555.280 1. The following fields are established for the licensing of pest control personnel:

(a) Aerial—The use of aircraft , including, without limitation , *an unmanned aerial vehicle*, for the application of pesticides on standing or running water, rangeland, agricultural crops, forest, idle cropland and noncropland associated with the production of agricultural crops.

(b) Agricultural ground—The use of ground equipment for the application of pesticides on livestock, rangeland, agricultural crops, idle cropland and noncropland associated with the production of agricultural crops.

(c) Urban and structural—The use of ground equipment for the application of pesticides in urban areas and in, on or around structures.

~~[(d) Governmental agency—The use of pesticides classified for general use by an employee of a federal, state or local governmental agency, including, without limitation, for highway maintenance, weed control or structural pest control.]~~

2. The following categories are established for the licensing of pest control personnel under the fields of licensing:

(a) Aerial:

(1) Insect pests—The application of insecticides, miticides and acaricides.

(2) Weeds—The application of herbicides and plant regulators.

(3) Desiccants and defoliant—The application of desiccants and defoliant.

(4) Fungi pests—The application of fungicides, bactericides and nematicides.

(b) Agricultural ground:

(1) Insect pests—The application of insecticides, miticides and acaricides.

(2) Weeds—The application of herbicides and plant regulators.

(3) Desiccants and defoliant—The application of desiccants and defoliant.

(4) Fungi pests—The application of fungicides, bactericides and nematicides.

(5) Vertebrate pests ~~[]~~ — The application of various substances on agricultural ground for the control of vertebrate pests, including, without limitation, the use of fumigants for burrowing rodents. This category does not include the control of vertebrate pests in, on or around industrial complexes, institutional complexes, dwelling units or other structures designed for use by humans, or on ornamentals or turf in, on or around such structures.

(c) Urban and structural:

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(1) Limited landscape—The control of insect pests, vertebrate pests and plant diseases and the use of plant regulators on ornamentals and turf in urban areas, including, without limitation, fruit trees in urban areas if the fruit trees are not used for commercial purposes.

(2) Industrial and institutional—The control of insect pests and vertebrate pests in, on or around industrial complexes, institutional complexes and dwelling units.

(3) Structural—The control of wood-destroying pests, inspection for wood-destroying pests and inspection for conditions conducive to infestations of wood-destroying pests.

(4) Fumigation—The use of poisonous and lethal fumigants.

(5) Aquatic—The control of insect pests, weeds and vertebrate pests in aquatic areas that are used or are intended for use in and around industrial complexes, institutional complexes and dwelling units.

(6) Weeds—The control of weeds in the maintenance of landscapes, turf and rights-of-way, including, without limitation, public roads, power lines, pipelines and railway rights-of-way. This category does not include the control of aquatic weeds.

(7) Preservation of wood—The application of pesticides directly to wood or wood products that are not a part of a habitable structure to prevent or control the degradation of the wood or wood product by a wood-destroying organism, including, without limitation, a fungus or bacterium.

~~[(8) Cooling towers, biocides and water processes—The use of antimicrobials and biocides to control bacteria and other single-celled organisms in cooling water, wells and other water processing systems.]~~ *Golf course and sports complex - The application of pesticides to control of insect pests, weeds, fungi, diseases and vertebrate pests in terrestrial and aquatic areas that are used or are intended for use on golf courses or other sports turf complex.*

~~—(d) Governmental agency:~~

~~—(1) Agricultural plant—The control of any pest on or around any agricultural crop, including, without limitation, on or around land used for the production of forage, grain, pasture, seed, row and fruit crops and rangeland, idle cropland and land on which crops are not planted that is associated with the production of agricultural crops, excluding fumigation pest control.~~

~~—(2) Rangeland and forest—The control of any pest in rangeland, forest, forest nurseries and forest seed-producing areas, including, without limitation, site preparation, release work, insect control and reforestation projects.~~

~~—(3) Ornamental, turf, nursery, greenhouse and interior landscape—The control of any pest in the maintenance and production of ornamental plants and turf or the maintenance of a nursery, greenhouse or interior landscape, including, without limitation, the production and maintenance of ornamental trees, shrubs, flowers, home fruit trees and home vegetable gardens, excluding fumigation pest control.~~

~~—(4) Seed treatment—The treatment of seeds to control insects, fungi, bacteria and other microorganisms, excluding fumigation pest control.~~

~~—(5) Aquatic and mosquito—The control of any pest, including, without limitation, insects, weeds and fish, associated with standing or running water, including, without limitation, reservoirs, lakes, rivers, aquatic cropland and wetland areas, excluding public health pest control.~~

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~~(6) Right of way and weed—The control of any pest in the course of maintaining a right of way, including, without limitation, the treatment of roadsides, utilities, railroads, land on which crops are not planted, fence lines, structural perimeters and other similar areas.~~

~~(7) General pest control, industrial and institutional—The control of insect and vertebrate pests in, on or around industrial complexes, institutional complexes and dwelling units.~~

~~(8) Wood-destroying insects—The control of any wood-destroying insect, including, without limitation, termites, in, on or around any structure, including, without limitation, homes, storage sheds and warehouses, excluding fumigation pest control.~~

~~(9) Wildlife control—The application of various substances, including, without limitation, fumigants, for the control of wildlife pests on rangelands, forests, agricultural crops, idle cropland and land on which crops are not planted that is associated with the production of agricultural crops, excluding the control of wildlife pests in, on or around industrial complexes, institutional complexes or dwelling units or predatory pest control.~~

~~(10) Fumigation pest control:~~

~~(I) Commodity fumigation—The control of any pest that infests raw agricultural or processed commodities, animal feeds and commodity storage facilities where such commodities are held or stored, including, without limitation, tarpaulin fumigation and fumigation of grain elevators, rail cars, truck trailers, vans, aquatic vessels, air and sea containers, other static sealable enclosures, food processing plants, prepared bins, warehouses, beehives and other beekeeping equipment.~~

~~(II) Rodent burrow fumigation—Outdoor fumigation for the control of rodents and moles, including, without limitation, marmots, woodchucks, rats, mice, ground squirrels, voles, pocket gophers and chipmunks.~~

~~(III) Soil fumigation—The control of any pest that is present in the soil at the time of treatment, including, without limitation, plant parasitic nematodes, soil-borne pathogens, weeds and insects.~~

~~(11) Regulatory—The use or supervision of use by an employee of a state or federal governmental agency of pesticides to control pests designated by a federal or state agency as actionable, of quarantine concern or noxious weeds pursuant to a government program.~~

~~(12) Sewer line root control—The control of plant roots in the maintenance of sewers.~~

~~(13) Public health—The control of any pest having medical or public health importance.~~

~~(14) Predatory pest control—The control of any predator in any habitat, including, without limitation, by using an M-44 device.]~~

3. This section must not be construed to prohibit a person or governmental agency or any employee thereof who has obtained the proper license from applying pesticides in a manner not prohibited by law.

4. As used in this section:

(a) “Pesticide classified for general use” has the meaning ascribed to it in NAC 555.610.

(b) “Unmanned aerial vehicle” means a powered aircraft of any size without a human operator aboard the vehicle and that is operated remotely or autonomously.

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Sec. 16. of R093-15

NAC 555.350 1. Each application for a license must be made on a form provided by the Director.

2. Each application for a license for a pest control business must include, without limitation:

(a) The name of the person applying for the license, the name under which the applicant intends to engage in the business of pest control, the street address of the residence of the applicant and the street address of the pest control business.

(b) The name of each partner, if the applicant is a partnership.

(c) A copy of the current certificate of incorporation and list of officers that has been filed with the Secretary of State pursuant to title 7 of NRS, if the applicant is a corporation.

(d) The street address, telephone number, facsimile number, electronic mail address, if any, federal identification number of the pest control business and, if the mailing address is different from the street address, the mailing address of the business.

(e) The ~~[state]~~ business ~~[license]~~ **identification** number assigned to the pest control business by the Secretary of State, if any.

(f) If the pest control business uses aircraft in the application of pesticides, a list that includes a description of each aircraft and the identification number assigned to the aircraft by the Federal Aviation Administration.

(g) The name, social security number, employer identification number, if applicable, telephone number of the residence, mailing address of the residence and, if the street address is different from the mailing address of the residence, the street address of the residence of each primary principal, location principal, principal, operator, **consultant, demonstration and research specialist** and agent employed by the applicant.

(h) The category of pest control in which the applicant wishes to engage.

(i) The number of business locations in which the pest control business will operate.

(j) The address and telephone number of each such business location.

(k) The name and cellular telephone number, if any, of the primary principal or location principal who supervises the daily activities of the principals, operators, **consultants, demonstration and research specialists** and agents at each business location.

(l) A statement that includes the status of residency of and the number of the Nevada driver's license issued to each primary principal, location principal and principal employed by the applicant.

(m) In accordance with NRS 555.325, the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.

(n) If the application is for a license in the urban and structural field ~~[:] for governmental agency field],~~ a report of each pesticide that was applied within the immediately preceding 12 months. The report must include ~~[:]~~, without limitation:

(1) The brand name of each pesticide that was applied;

(2) The registration number assigned to the pesticide by the Environmental Protection Agency; and

(3) A statement indicating whether the pesticide that was applied is a restricted-use pesticide.

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(o) If the application is for a license in the aerial field, the number of hours of flight time that the applicant spent engaged in pest control.

3. In addition to the name of the pest control business required to be included in the application pursuant to paragraph (a) of subsection 2, the applicant shall include in the application at least two alternative names for the pest control business.

Sec. 25. of R093-15

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

1. Keep accurate and legible records 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 ~~{-}~~ *for, recommendation concerning or identification of pests.*

(2) The full name of the person for whom and the county where the treatment, *recommendation or identification* was conducted.

(3) The full name of the pilot, ~~{-}~~ applicator or consultant doing the treating ~~{-}~~, *recommending or identification.*

(4) The crop or site treated or ~~{-in}~~ *for which the recommendation or identification was made. In* the case of a spot treatment, the term “spot treatment” must be noted, followed by a description of the treatment area and the spot or spots treated.

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

~~{-}~~ The number, name or site identification of the field.

~~{-}~~ The

~~{-}~~ *In the case of a treatment or recommendation, the* brand name or generic name of the pesticide that was applied ~~{-}~~ *or recommended*, the registration number assigned to the pesticide by the Environmental Protection Agency and the dosage applied ~~{-}~~

~~{-}~~ *or recommended.*

(7) In the case of a treatment:

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

(II) The purpose for which the crop, site or spot was treated.

~~{-}~~ *(III)* The time the treatment was started and the time the treatment was finished.

~~{-}~~ *(IV)* The temperature at the start and finish of the treatment.

~~{-}~~ *(V)* 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 ~~{-}~~ *for, recommendation concerning or identification of pests.*

(2) The address where the treatment, *recommendation or identification* was conducted.

(3) The full name of the applicator ~~{-}~~ *or consultant.*

(4) The site treated ~~{-}~~ *or for which a recommendation or identification was made*, including, without limitation, the kitchen, the crawlspace beneath the structure, and the yard or area surrounding the structure. In the case of a spot treatment, the term “spot treatment” must be followed by a description of the treatment area and the spot or spots treated.

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(5) ~~[The]~~ *In the case of a treatment or recommendation, the* brand name or generic name of the pesticide that was applied or recommended and the registration number assigned to the pesticide by the Environmental Protection Agency.

(6) ~~[The]~~ *In the case of a treatment, the* total amount of any diluted pesticide and the concentration of the pesticide that was applied.

(7) If ~~[the]~~ *a* treatment is conducted in the categories of limited landscape, weeds, aquatic, *golf course or sports turf* 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 purpose for which the pesticide was applied.

(V) The area or volume fumigated.

(VI) The times at which fumigation started and finished.

(8) If ~~[the]~~ *a* 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 Management Association Form 99-B entitled "New Construction Subterranean Termite Service Record." The Housing and Urban Development-National Pest Management Association Form 99-B is available from CBS Forms by mail at 11652 Agarwood Drive, Walton, Kentucky 41094, by telephone at (800) 324-7676 or at the Internet address <http://www.cbsforms.com/>, for the price of \$19.95 for a pack of 50 forms, plus shipping and handling, or from the United States Department of Housing and Urban Development, free of charge, at the Internet address <http://portal.hud.gov/>.

~~—[(e) If the person is licensed in the governmental agency field:~~

~~—(1) The date of the treatment for, recommendation concerning or identification of pests.~~

~~—(2) The address where the treatment, recommendation or identification was conducted.~~

~~—(3) The full name of the applicator or consultant.~~

~~—(4) The site treated or for which a recommendation or identification was made, including, without limitation, the kitchen, the crawlspace beneath the structure and the yard or area surrounding the structure, and, in the case of a spot treatment, the term "spot treatment" must be followed by a description of the treatment area and the spot or spots treated.~~

~~—(5) In the case of a treatment or recommendation, the brand name or generic name of the pesticide that was applied or recommended and the registration number assigned to the pesticide by the United States Environmental Protection Agency.~~

~~—(6) In the case of a treatment, the total amount of any diluted pesticide and the concentration of the pesticide that was applied.~~

~~—(7) If a treatment is conducted in the category of agricultural plant, rangeland and forest, ornamental, turf, nursery, greenhouse and interior landscape, aquatic and mosquito, right-of-way and weed or fumigation pest control:~~

~~—(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.~~

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~~(IV) The purpose for which the pesticide was applied.~~

~~(V) The area or volume fumigated.~~

~~(VI) The times at which fumigation started and finished.]~~

2. Report by telephone within 24 hours to the Director or his or her designee:

(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 accidental spillage at sites of operations of more than 1 gallon of liquid or 4 pounds of dry weight of unmixed pesticides that are detrimental to persons, wildlife, domestic animals or crops.

3. Report by telephone to the Director or his or her designee within 48 hours any cases of apparent pesticide poisoning requiring medical treatment.

4. If the person is licensed in the aerial or agricultural ground field, file with the Director on forms to be furnished by him or her 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) Be filed for those periods during which no operations were conducted unless written notification is given to the Director declaring that operations have ceased.

5. Submit to the Director any reports or records he or she requests.

□ As used in this section, “spot treatment” means the application of pesticide to a spot or two or more noncontiguous spots, the total coverage of which does not exceed one-tenth of the size of the total treatment area. The size of each individual spot for indoor applications must not exceed 2 square feet and for outdoor applications must not exceed 4 square feet.

555.613 1. The fields of licensed primary principal commercial ~~[and governmental agency applicators]~~ are:

(a) Aerial—The use of aircraft, *including, without limitation, an unmanned aerial vehicle*, for the application of pesticides on standing or running water, rangeland, agricultural crops, forest, idle cropland and noncropland associated with the production of agricultural crops.

(b) Agricultural ground—The use of ground equipment for the application of pesticides on livestock, rangeland, agricultural crops, idle cropland and noncropland associated with the production of agricultural crops.

(c) Urban and structural—The use of ground equipment for the application of pesticides in urban areas and in, on or around structures.

~~[(d) Governmental agency—The use of pesticides by an employee of a federal, state or local governmental agency, including, without limitation, for highway maintenance, weed control or structural pest control.]~~

2. The categories of licensed primary principal commercial applicators are:

(a) Aerial:

(1) Insect pests—The application of insecticides, miticides and acaricides.

(2) Weeds—The application of herbicides and plant regulators.

(3) Desiccants and defoliants—The application of desiccants and defoliants.

(4) Fungi pests—The application of fungicides, bactericides and nematocides.

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- (b) Agricultural ground:
- (1) Insect pests—The application of insecticides, miticides and acaricides.
 - (2) Weeds—The application of herbicides and plant regulators.
 - (3) Desiccants and defoliant—The application of desiccants and defoliant.
- (4) Fungi pests—The application of fungicides, bactericides and nematicides.
- (5) Vertebrate pests—The application of various substances on agricultural ground for the control of vertebrate pests, including, without limitation, the use of fumigants for burrowing rodents. This category does not include the control of vertebrate pests in, on or around industrial complexes, institutional complexes, dwelling units or other structures designed for use by humans, or on ornamentals or turf in, on or around such structures.
- (c) Urban and structural:
- (1) Limited landscape—The control of insect pests, vertebrate pests and plant diseases and the use of plant regulators on ornamentals and turf in urban areas, including, without limitation, fruit trees in urban areas if the fruit trees are not used for commercial purposes.
 - (2) Industrial and institutional—The control of insect pests and vertebrate pests in, on or around industrial complexes, institutional complexes and dwelling units.
 - (3) Structural—The control of wood-destroying pests, inspection for wood-destroying pests and inspection for conditions conducive to infestations of wood-destroying pests.
 - (4) Fumigation—The use of poisonous and lethal fumigants.
 - (5) Aquatic—The control of insect pests, weeds and vertebrate pests in aquatic areas that are used or are intended for use in and around industrial complexes, institutional complexes and dwelling units.
 - (6) Weeds—The control of weeds in the maintenance of landscapes, turf and rights-of-way, including, without limitation, public roads, power lines, pipelines and railway rights-of-way. This category does not include the control of aquatic weeds.
 - (7) Preservation of wood—The application of pesticides directly to wood or wood products that are not a part of a habitable structure to prevent or control the degradation of the wood or wood product by a wood-destroying organism, including, without limitation, a fungus or bacterium.
 - (8) ~~[Cooling towers, biocides and water processes—The use of antimicrobials and biocides to control bacteria and other single-celled organisms in cooling water, wells and other water processing systems.]~~ *Golf course and sports complex - The application of pesticides to control of insect pests, weeds, fungi, diseases and vertebrate pests in terrestrial and aquatic areas that are used or are intended for use on golf courses or other sports turf complex.*
- ~~[(d) Governmental agency:~~
- ~~(1) Agricultural plant—The control of any pest on or around any agricultural crop, including, without limitation, on or around land used for the production of forage, grain, pasture, seed, row and fruit crops and rangeland, idle cropland and land on which crops are not planted that is associated with the production of agricultural crops, excluding fumigation pest control.~~
- ~~(2) Rangeland and forest—The control of any pest in rangeland, forest, forest nurseries and forest seed-producing areas, including, without limitation, site preparation, release work, insect control and reforestation projects.~~

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~~(3) Ornamental, turf, nursery, greenhouse and interior landscape—The control of any pest in the maintenance and production of ornamental plants and turf or the maintenance of a nursery, greenhouse or interior landscape, including, without limitation, the production and maintenance of ornamental trees, shrubs, flowers, home fruit trees and home vegetable gardens, excluding fumigation pest control.~~

~~(4) Seed treatment—treatment of seeds to control insects, fungi, bacteria and other microorganisms, excluding fumigation pest control.~~

~~(5) Aquatic and mosquito—The control of any pest, including, without limitation, insects, weeds and fish, associated with standing or running water, including, without limitation, reservoirs, lakes, rivers, aquatic cropland and wetland areas, excluding public health pest control.~~

~~(6) Right of way and weed—The control of any pest in the course of maintaining a right of way, including, without limitation, the treatment of roadsides, utilities, railroads, land on which crops are not planted, fence lines, structural perimeters and similar areas.~~

~~(7) General pest control, industrial and institutional—The control of insect and vertebrate pests in, on or around industrial complexes, institutional complexes and dwelling units.~~

~~(8) Wood-destroying insects—The control of any wood-destroying insect, including, without limitation, termites, in, on or around any structure, including, without limitation, homes, storage sheds and warehouses, excluding fumigation pest control.~~

~~(9) Wildlife control—The application of various substances, including, without limitation, fumigants, for the control of wildlife pests on rangelands, forests, agricultural crops, idle cropland and land on which crops are not planted that is associated with the production of agricultural crops, excluding the control of wildlife pests in, on or around industrial complexes, institutional complexes or dwelling units or predatory pest control.~~

~~(10) Fumigation pest control:~~

~~(I) Commodity fumigation—The control of any pest that infests raw agricultural or processed commodities, animal feeds and commodity storage facilities where such commodities are held or stored, including, without limitation, tarpaulin fumigation and fumigation of grain elevators, rail cars, truck trailers, vans, aquatic vessels, air and sea containers, other static sealable enclosures, food processing plants, prepared bins, warehouses, beehives and other beekeeping equipment.~~

~~(II) Rodent burrow fumigation—Outdoor fumigation for the control of rodents and moles, including, without limitation, marmots, woodchucks, rats, mice, ground squirrels, voles, pocket gophers and chipmunks.~~

~~(III) Soil fumigation—The control of any pest that is present in the soil at the time of treatment, including, without limitation, plant parasitic nematodes, soil borne pathogens, weeds and insects.~~

~~(11) Regulatory—The use or supervision of use by an employee of a state or federal governmental agency of pesticides to control pests designated by a federal or state agency as actionable, of quarantine concern or noxious weeds pursuant to a government program.~~

~~(12) Sewer line root control—The control of plant roots in the maintenance of sewers.~~

~~(13) Public health—The control of any pest having medical or public health~~

~~importance:~~

~~(14) *Predatory pest control*—The control of any predator in any habitat, including, without limitation, by using an M-44 device.~~

3. This section must not be construed to prohibit a person or governmental agency or any employee thereof who has obtained the proper license from applying pesticides in a manner not prohibited by law.

4. As used in this section:

(a) "Pesticide classified for general use" has the meaning ascribed to it in NAC 555.610.

(b) "Unmanned aerial vehicle" means a powered aircraft of any size without a human operator aboard the vehicle and that is operated remotely or autonomously.

GOVERNMENT APPLICATOR

Sec. 1 Definitions. (NRS 555.400, 561.105, AB 32 (2017)) As used in Sec. 1 to Sec. 15, inclusive, unless the context otherwise requires:

1. "Agricultural crop," for the purpose of this section, means an unprocessed product of farms, ranches, nurseries and forests (except livestock, poultry and fish). Agricultural crops include fruits and vegetables; grains, such as wheat, barley, oats, rye, triticale, corn and sorghum; legumes, such as field beans and peas; animal feed and forage crops; rangeland and pasture; seed crops; fiber crops; trees grown for lumber and wood products; nursery stock grown commercially; Christmas trees; ornamentals and cut flowers; and turf grown commercially for sod.

2. "Aquatic habitat" means bodies of water, such as lakes, reservoirs, rivers, perennial and intermittent streams, wetlands, or ponds, sloughs, and estuaries.

3. "Applied to the soil" or "applied to the ground" means the labeling of a pesticide product includes terminology such as:

(a) Soil fumigant;

(b) Soil applied;

(c) Soil treatment product;

(d) Can be used as a soil drench;

(e) Application to soil;

(f) Inject into the soil;

(g) Incorporate in top (x) inches of soil; pre-plant incorporation;

(h) Use on soil for control of soil-borne diseases;

(i) Surface application; band treatment, surface blend;

(j) Side dressing both/one side of row and cultivate into soil;

(k) Should be mixed uniformly into top (x) inches of soil;

(l) Pre-emergent to the soil for weed control;

(m) Broadcast to the soil;

(n) Apply in seed furrow.

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4. *“Competent” or “competency” means properly qualified to perform functions associated with pesticide application, the degree of capability required being directly related to the nature of the activity and the associated responsibility.*

5. *“Container” means any package, can, bottle, bag, barrel, drum, tank or other containing device, excluding spray applicator tanks, used to enclose a pesticide or waste related to pesticide.*

6. *“Control” means to prevent, destroy, repel or mitigate any undesirable organism.*

7. *“Conflict with labeling” means any deviation from instructions, requirements or prohibitions of pesticide product labeling concerning storage, handling or use except:*

(a) A decrease in dosage rate per unit treated, unless such reduction is expressly prohibited;
(b) A decrease in the concentration of the mixture applied, unless such reduction is expressly prohibited;

(c) Application at a frequency less than specified;

(d) Use to control a target pest not listed, provided the application is to a commodity/site that is listed and the use of the product against the unnamed target pest is not expressly prohibited;

(e) Employing a method of application not expressly prohibited, provided other directions are followed;

(f) Mixing with another pesticide or with a fertilizer, unless such mixing is expressly prohibited.

8. *“Ectoparasite” means any organism that occurs externally on, or whose life cycle involves development within, an organism of another species (host) and derives its nutriment from it.*

9. *“Employee” means any person who, for any kind of compensation, performs work, services, or activities covered by this division.*

10. *“Examination” means written examination.*

11. *“Field” means any area (including enclosed space) upon which one or more agricultural plant commodities (including forest and nursery products) are grown for commercial or research production. Field does not include range or pasture harvested by grazing animals.*

12. *“Food handling establishment” means a place other than a private residence in which exposed food is held, processed, prepared or served.*

13. *“Forage” means any herbaceous plant or plant part normally grazed on by, or fed to, animals.*

14. *“Forest” means any concentration of trees and related vegetation in a nonurban area sparsely inhabited by and infrequently used by humans, characterized by natural terrain and drainage patterns.*

15.. *“Fumigation”:*

(a) Means the destruction of plant or animal life within an enclosed area by using:

(1) A substance which has a vapor pressure of more than 5 millimeters of mercury at 25° Centigrade; or

(2) Any other substance that the Director determines is a fumigant, including, without limitation:

(I) Chloropicrin;

- (II) Methyl bromide;*
- (III) Sulfur dioxide;*
- (IV) Propylene oxide;*
- (V) Sulfuryl fluoride;*
- (VI) Aluminum phosphide;*
- (VII) Magnesium phosphide; and*
- (VIII) Dichloropropene.*

(b) May include any of the following substances if the intended use of the substance is to destroy plant or animal life within an enclosed area:

- (1) Liquid nitrogen;*
 - (2) Carbon dioxide; or*
 - (3) Metam sodium.*
- 16. "Grain" means any of the grasses that produce cereals which are used for food.*
- 17. "Grazing" means the partial defoliation of forage growth by animal consumption.*
- 18. "Habitat" means that specific locality where an organism exists.*
- 19. "Industrial use" means use for or in a manufacturing, mining or chemical process; or use in the operation of factories, processing plants, and similar sites.*
- 20. "Institutional use" means use within the confines of, or on property necessary for the operation of, buildings such as hospitals, schools, libraries, auditoriums and office complexes.*
- 21. "Microorganism" means any animal or plant that is so small as to be invisible or obscure except through a microscope.*
- 22. "Mollusk" means any of the phylum of soft-bodied animals usually partially or wholly enclosed within a calcium carbonate shell and having a muscular "foot" for locomotion.*
- 23. "Nonvascular plant" means a plant without flowers, roots, stems or leaves.*
- 24. "Nursery" means any operation engaged in the outdoor commercial or research production of cut flowers or ornamental cut greens or any plants that will be used in their entirety in another location.*
- 25. "Operational site" means that location belonging to a person where an integral function of the business is performed, and includes the person's land, structures and any other environs and equipment.*
- 26. "Pasture" means any fenced area of domesticated forage on which animals are grazed.*
- 27. "Personal protective equipment" (PPE) means apparel and devices worn to minimize human body contact with pesticides or pesticide residues that must be provided by an employer and are separate from, or in addition to, work clothing. PPE may include, chemical resistant suits, chemical resistant gloves, chemical resistant footwear, respiratory protection devices, chemical resistant aprons, chemical resistant headgear, protective eyewear, or a coverall (one- or two-piece garment).*
- 28. "Plant disease" means any exhibition of some malfunction or abnormality in a plant's development or growth caused by a microorganism as, for example, fungi, bacteria, viruses, mycoplasmas and nematodes.*

29. *“Predator” means any animal of the class Mammalia of the subphylum Vertebrata that kills and consumes other animals.*

30. *“Range” or “rangeland” means any land with native vegetation (climax or natural potential) that is predominantly grasses, grass like plants, forbs or shrubs suitable for grazing or browsing.*

31. *“Supervision” means that a governmental applicator who is licensed in the use of general and restricted-use pesticides is responsible for and provides training and guidance to an unlicensed employee applying the general-use pesticide who is not licensed in the use of a general-use pesticide or certified in the use of the restricted-use pesticide. The physical presence of the person who is licensed as a government applicator at the site of an application of a general-use pesticide is not required unless the label on the pesticide requires the presence of such a person.*

32. *“Use” means any pesticide related activity including*

(a) *Pre-application activities, including;*

(1) *Arranging for the application;*

(2) *Mixing or loading; and*

(3) *Making necessary preparations for the application, including responsibilities related to notification, handler training, decontamination facilities, use and care of personal protective equipment, medical monitoring and assistance, and heat stress management;*

(b) *Application of the pesticide;*

(c) *Post-application activities, including;*

(1) *Control of the treated area to reduce exposure, including responsibilities for restricted entry intervals, warnings, decontamination facilities, medical assistance, and fieldworker training;*

(2) *Management of the treated area, crop, or crop by-products, including responsibilities for preharvest intervals and plant back restrictions;*

(3) *Transportation, storage, and disposal of excess pesticides, spray mix, equipment wash water, and pesticide containers; and*

(4) *Cleaning of application equipment and other pesticide containing materials.*

(d) *Use does not include:*

(1) *Activities where involvement is only incidental to other tasks such as emergency responders providing incident management, commercial transportation of pesticide related waste for disposal or recycling, or a waste disposal or recycling facility accepting or handling these wastes; or*

(2) *Manufacturing, formulating, or packaging (including bulk repackaging) by a registered pesticide producing establishment.*

33. *“Vertebrate” means any animal of the subphylum Vertebrata of the phylum Chordata, which has an enlarged brain enclosed in a cranium, or brain case, a segmented vertebral column which supports the body, a head, neck, trunk and usually a tail present.*

34. *“Wildlife” means all living things that are neither human, domesticated nor pests, including, but not limited to, mammals, birds and aquatic life.*

Sec. 2 Government applicators: Categories. (NRS 555.400, AB 32 (2017))

1. The categories of government applicators are:

(a) Insect pests—The application of insecticides, miticides, molluscides and acaricides.

(1) Aquatic habitat— The control of insects, microorganisms, and mollusks, including aquatic snails, associated with standing or running water, including, without limitation, reservoirs, lakes, rivers, aquatic cropland and wetland areas.

(2) Terrestrial habitat— The control of insects, mites, microorganisms, sals, slugs and arachnids in areas including, but not limited to, agricultural crops, forest environments, right-of-ways, ornamental and turf, residences, public buildings and grounds, commercial buildings and grounds, disposal sites, animal feed lots and farmsteads, including buildings and transportation equipment, food handling establishments, excluding fumigation pest control

(b) Weeds—The application of herbicides, plant regulators, desiccants and defoliant.

(1) Aquatic habitat – The control of aquatic weed pests in water areas including, but not limited to, canals, rivers, streams, lakes, ponds, marshes and pipe lines, irrigation district water delivery systems where the pesticide is applied directly into the water or enters the water due to the application of the pesticide. Pests include, but are not limited to, moss, algae, cattails, pond weeds and other emersed and submersed aquatic weeds.

(2) Terrestrial habitat—The control of weeds and ectoparasites, except with fumigants, including cut-stump, plant desiccation and defoliation, in all agricultural crops, fields, forest environments, former agricultural lands, non-croplands, rights-of-way, industrial sites including, but not limited to, airports, industrial parks, and large parking areas, ornamental and turf situations, which includes, but is not limited to, golf courses, parks, schools, lawns, yards, gardens, hospitals, vacant lots and open non-crop waste areas.

(c) Fungi pests—The application of fungicides, bactericides and nematicides - , The control, except with soil fumigants, fungus, moss, nonvascular plants, diseases, microorganisms, and nematodes in ornamentals, turf and rights-of-way areas, including, but not limited to, golf courses, parks, schools, lawns, yards, gardens, greenhouses, agricultural crops, fields, forest environments, residences, public buildings, commercial buildings, hospitals, food handling establishments, and rest homes.

(d) Vertebrate pests—The application of various substances and rodenticides, except fumigants, intended to control of predators or vertebrate pests.

(1) Aquatic habitat – The application of various substances in aquatic sites for the control of fish, wildlife pests and vertebrate pests in aquatic sites.

(2) Terrestrial habitat— The application of various substances on agricultural ground, fields, in, on or around industrial complexes, institutional complexes, food handling establishments, and dwelling units for the control of wildlife pests and vertebrate pests.

(e) Fumigation pest control:

(1) Commodity fumigation—The control of any pest that infests raw agricultural or processed commodities, animal feeds and commodity storage facilities where such commodities are held or stored, including, without limitation, tarpaulin fumigation and fumigation of grain elevators, rail cars, truck trailers, vans, aquatic vessels, air and sea containers, other static sealable enclosures, food processing plants, prepared bins, warehouses, beehives and other beekeeping equipment.

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(2) Rodent burrow fumigation—Outdoor fumigation for the control of rodents and moles, including, without limitation, marmots, woodchucks, rats, mice, ground squirrels, voles, pocket gophers and chipmunks.

(3) Soil fumigation—The control of any pest that is present in the soil at the time of treatment, including, without limitation, plant-parasitic nematodes, soil-borne pathogens, weeds and insects.

Sec 3. Examinations for licensure of government applicators: Application; subjects. (NRS 555.355, 555.400, AB 32 (2017))

1. A request to be examined for the issuance of a license pursuant to Sec. 4 may be made by filing an application for an examination with the Department.

2. The applicant must provide to the Department 7 days notice before the time the applicant wishes to take the examination, unless the examining officer has waived the time period. The examining officer shall establish the examination date.

3. Except as provided by Section 5.9., all applicants for licensure must qualify for the issuance of a license through examination.

4. Each applicant must pass an examination to show that he or she possesses adequate knowledge concerning the proper use and application of pesticides and the dangers involved, and precautions to be taken in connection with their application in the following subject areas:

(a) Label and labeling comprehension;

(b) Safety;

(c) Environmental consequences of pesticide use and misuse;

(d) Pests;

(e) Pesticides;

(f) Equipment;

(g) Application techniques;

(h) Federal laws and regulations;

(i) State laws and regulations; and

(j) Any subject the Director deems necessary to ensure the proper use and application of pesticides.

Sec. 4 Licenses for government applicators: Types; changes of information; amendments; terms. (NRS 555.357, 555.400 AB 32 (2017))

1. The following types of licenses may be issued to a government applicator:

(a) A general license authorizing the application or supervision of the application of general-use pesticides by unlicensed employees for the category for which issued.

(b) A limited license authorizing the application or supervision of the application of general-use pesticides by unlicensed employees, on a specific host, for a specific pest, or performing specific application procedures.

(c) A single-use license authorizing the application or supervision of the application by unlicensed employees of a single general-use pesticide on a one-time basis, for an emergency

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measure. A single-use license must be limited to one per governmental agency per calendar year.

2. Every person to whom a license is issued shall, within 15 working days, notify the Director of any change of any information shown on the application.

3. A licensed government applicator may apply to the Director for amendment of his or her license to include additional categories and, upon successful examination, may have the license so amended.

4. A government license is neither assignable nor transferable.

Sec 5. Examinations for licensure of government applicators: General and specific; written and practical; passing score; retesting; use of unauthorized aid. (NRS 555.355, 555.400, 561.105, AB 32 (2017))

1. Except as provided in subsection 9 of this section, the examination for the issuance of a license pursuant to Sec. 4 will consist of a general examination which will be required of each applicant and a specific examination for each category in which the applicant has requested to be examined.

2. The Director may require the applicant to meet special qualifications of competency which relate to the special needs of a given locality regarding the use or application of a specific pesticide. The special qualifications of competency may include additional examinations as required by the Director.

3. Any applicant may be required to perform a practical demonstration, at a time and in a manner specified by the examining officer, to show his or her ability to apply or supervise the application of general-use pesticides by unlicensed employees.

6. The passing score for each examination is 70 percent.

7. Any applicant who fails to pass the general examination or any specific examination may be retested upon expiration of a waiting period of 7 days, unless the examining officer waives the waiting period.

8. Any applicant who uses an unauthorized aid during an examination:

(a) Must be excluded from the remainder of the examination; and

(b) Must not be allowed to take another examination for at least 6 months.

9. Upon adoption of this regulation and up to 3 months after, a current government applicator who possesses a valid, unexpired, nonprimary principal commercial applicators certification issued pursuant to NAC 555.655 may surrender their nonprimary principal commercial applicators certification, fill out an application, and request an equivalent government applicator license. Expiration date will remain the same; all other requirements in Sec 1 to Sec 15 will apply. There will be no fee charged for the equivalent license.

Sec. 5 Applications for licensing government applicators: Contents; proof of passing examination. (NRS 555.353, 555.400, AB 32 (2017))

1. An application for a license issued pursuant to Sec. 4 to apply or supervise the application of general-use pesticides is supplied by the Director and may show the following:

(a) The applicant's legal name, home mailing address, home street address, if different from home mailing address, and home telephone number.

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- (b) The government agency for which the applicant intends to work, government agency mailing address, physical street address and business telephone number.*
- (c) The type of license that the applicant is applying for.*
- (e) A listing and description of other licenses or certifications held in other states.*
- (g) Any category in which the applicant wishes to be licensed.*
- (h) In accordance with NRS 555.325, the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520.*
- (i) date of birth of the applicant.*
- (j) Social Security number of the applicant*
- 2. The qualification for certification pursuant to Sec. 4 is proof of passing the examination.*

Sec 6. Renewal of licensure of government applicators: Continuing education; application. (NRS 555.355, 555.357, 555.400, 561.105, AB 32 (2017))

- 1. A government applicator may renew a licensee issued pursuant to Sec. 4 if he or she provides proof satisfactory to the Director that he or she has completed at least 12 units of continuing education in courses approved by the Director within the 4 years immediately preceding the expiration of the certificate. At least 2 units of continuing education must be completed in a course relating to laws and regulations governing the use of pesticides.*
- 2. A government applicator may receive credit for the completion of a course of continuing education offered in another state if:*
 - (a) The course is approved for continuing education by the appropriate agency of that state; and*
 - (b) Upon completion of the course, the sponsor of the course or a government applicator who completed the course submits to the Department:*
 - (1) An agenda or outline for the course setting forth:*
 - (I) The location, date and time of the course;*
 - (II) The topics discussed during the course; and*
 - (III) The name of each speaker at the course;*
 - (2) A copy of a letter or other form indicating that the appropriate agency of that state has approved the course for continuing education and the number of units of continuing education approved for the course;*
 - (3) The name of each government applicator from this State who attended the course as indicated by the attendance sheet for the course; and*
 - (4) A request to receive credit for attending the course.*
- 3. For each course for which government applicator claims one or more units of continuing education, he or she must receive from the sponsor of the course:*
 - (a) A certificate of completion issued by the sponsor of the course; or*
 - (b) Any other document or record that in the judgment of the Director establishes that the government applicator successfully completed the course.*
- 4. A government applicator who wishes to renew his or her license may not apply for renewal of the license no sooner than 3 months before the expiration of the license.*

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Sec. 7 Fees: (NRS 555.355, 555.400, 561.105, AB 32 (2017))

1. The Director will collect a fee of \$50 for each examination period or reexamination period and for the issuance of an initial license pursuant to Sec. 4, before the applicant is examined.

2. The Director will collect a fee of \$50 for the renewal of a license pursuant to Sec. 4 and Sec 6,

2. If a license specified in subsection 1:

(a) Is lost, stolen, mutilated or destroyed; or

(b) Is determined by the Director to be undeliverable because the applicant provided an incomplete address or other incorrect information when applying for the certificate, the Director will collect a fee of \$50 for issuing a duplicate license.

Sec 8. General requirements. (NRS 555.380, 555.400, AB 32 (2017))

Except as otherwise provided in Sec 1 to Sec 15, inclusive, or as specifically authorized in writing by the Director, each government applicator or unlicensed employee under the supervision of a government applicator engaged in the application of pesticide shall:

1. Apply pesticides only in those categories of pest control for which he or she is licensed. All other applicators must be under the supervision of a government applicator that is qualified and currently licensed in the appropriate category.

2. Use only methods and equipment which are capable of performing the functions necessary to ensure the proper application of materials.

3. Operate only where climatic, pest and crop conditions are proper for controlling the pest for which the application is being made.

4. Keep pest control equipment, when in use, in good condition.

5. When measuring concentrated materials, use only devices which are accurately calibrated to the smallest unit in which the material is being weighed or measured.

6. Maintain a uniform mixture at all times, both in operating rigs and service rigs, when using a mixture of materials.

7. Perform all pest control work in a good and workmanlike manner, substantially confining the material applied to the premises where the land, crop, livestock, ornamental, soil or pest is being treated.

8. Thoroughly clean all equipment after use to prevent residues which may be injurious to crops, plants or livestock.

9. Provide storage for all undiluted pesticide material in a locked facility. Servicepersons' kits, which contain insecticides, poison baits or concentrates must be handled with extreme caution and must not be left where children or other unauthorized persons might remove the contents.

10. Pay for the cost of any cleanup resulting from pesticides spilled in the course of operations for pest control.

Sec 9. Restrictions on authority of unlicensed employees. (NRS 555.400, AB 32 (2017))

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1. *An unlicensed employee who performs pest control under the supervision of a government applicator pursuant to Sec. 8 shall not apply any restricted-use pesticide without a certificate issued NAC 555.655 or Sec 4 of this chapter.*
2. *Basic pesticide training for unlicensed employees.*
 - a. *Prior to applying any pesticide, an unlicensed employee must have a working knowledge, and exhibit a minimum working competency about working with pesticides. The following information must be covered at a minimum:*
 - (I) *Proper use of application equipment;*
 - (II) *Hazards that may be involved in applying pesticides;*
 - (III) *Instructions for mixing pesticides used in particular circumstances;*
 - (IV) *Personal Protective Equipment (PPE), protective clothing & safety equipment required during the handling & application of pesticides;*
 - (V) *General precautions to be followed in the disposal of containers, as well as the cleaning and decontamination of equipment;*
 - (VI) *Applicable State/Federal pesticide laws & regulations;*
 - (VII) *Understand /correctly interpret label and labeling information;*
 - (VIII) *Understand principles of Integrated Pest Management.*
 - b. *The government agency certificate holder is responsible for ensuring the training is completed and documented prior to the unlicensed employee applies any pesticide.*
 - c. *A record of basic pesticide training must be kept for 2 years at the government agency certificate holders main location or at the location of record for the unlicensed employee. The Director or his designee may inspect the training records during normal business hours to ensure compliance.*
 - d. *The training record must include, at a minimum the following information:*
 - (I) *the date of the training,*
 - (II) *method of instruction (live, CD, Internet, etc.),*
 - (III) *full name of the unlicensed employee,*
 - (IV) *government agency providing the training,*
 - (V) *instructors signature,*
 - (VI) *unlicensed employee signature.*
 - e. *EPA's Agricultural Worker Protection Standard (WPS) for pesticide handlers training (most current year presentation required) is deemed to meet the requirements of sub section 2.a. of this section (video <https://vimeo.com/215241678>, other training resources can be found at <https://www.extension.iastate.edu/psep/WorkerProtect.html>)*

Sec 10. Prohibited materials and uses of pesticides. (NRS 555.380, 555.400, AB 32 (2017)) Except for experimental purposes under the direction or supervision of qualified federal, state or county personnel or research workers employed by the manufacturer, where no charge is made to the grower or owner, a government licensee or unlicensed employee engaged in the application of pesticides for the government agency shall not use for pest control:

1. *Any material not registered in this State as a pesticide.*
2. *Any registered pesticide for a purpose other than one for which it is registered.*

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Sec. 11 Precautionary requirements. (NRS 555.380, 555.400, AB 32 (2017))

- 1. A government applicator or unlicensed employee under the supervision of a government applicator engaged in the application of pesticides shall exercise reasonable precautions to protect persons, animals, crops and property from harm or damage.*
- 2. A pesticide or its empty container must not be disposed of or left unattended where it may present a hazard to any person, animal, crop or property, or be disposed of in a manner likely to cause injury. A government applicator or unlicensed employee under the supervision of a government applicator shall ensure that all empty containers are removed from the operations work site or otherwise safeguarded.*
- 3. A government applicator engaged in the application of pesticides shall:*
 - (a) Provide his or her employees with the information, precautions and safety equipment, personal protective equipment required by the manufacturer of the pesticide or recommended by the Department; and*
 - (b) Ensure that any safety equipment or personal protective equipment provided pursuant to paragraph (a) is in good working order.*
- 4. A government applicator or unlicensed employee under the supervision of a government applicator engaged in the application of pesticides shall not use a pesticide in a way it will conflict with labeling.*

Sec 12. Labels for service containers. (NRS 555.400, AB 32 (2017))

- 1. All service containers of government applicator or unlicensed employee under the supervision of a government applicator must bear the following abbreviated labels, securely attached to the containers:*
 - (a) The name and address of the governmental agency responsible for the container.*
 - (b) The identity of the pesticide in the container.*
 - (c) The word “DANGER”, “WARNING”, OR “CAUTION” in accordance with the label on the original container.*
- 2. Except for the service containers described in subsection 1 and the equipment for application, all containers in which undiluted pesticide is stored must bear the original label, which must be conspicuous and clearly legible.*
- 3. A complete label must be carried in the vehicle for each pesticide in the vehicle.*
- 4. As used in this section, measuring vessels and application equipment are not considered to be service containers while they are in use. However, they are and must be labeled as a service container if they are used to store or hold pesticides for a prolonged period or to transport pesticide down a public road to another site.*

Sec. 13 Protection of persons and animals. (NRS 555.380, 555.400, AB 32 (2017)) A government applicator or unlicensed employee under the supervision of a government applicator engaged in the application of pesticides known to be harmful to persons or animals other than bees, shall:

- 1. Give notice to the owner of any animals known to be on the property to be treated or on property where the material appears likely to drift in harmful amounts within a reasonable time before treatment to enable the owner to protect the animals.*

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2. *Exercise reasonable precautions to prevent access of animals to areas where harmful residues remain.*

3. *In applying materials harmful to fish, exercise reasonable precautions to avoid contaminating the water containing the fish.*

4. *Place rodenticides in an area that is inaccessible to children or pets or other domestic animals or in a tamper-resistant bait station that is marked on the outside of the bait station with the following information:*

(a) *The name, address and telephone number of the governmental agency that is performing the pest control treatment;*

(b) *The name of the rodenticide;*

(c) *The registration number assigned to the rodenticide by the Environmental Protection Agency;*

(d) *The name and percentage of the active ingredient of the rodenticide; and*

(e) *The precautionary word and symbol for the rodenticide that is used by the manufacturer of the rodenticide on the label of the rodenticide.*

Sec 13. Protection of bees. (NRS 555.380, 555.400, AB 32 (2017))

1. *Except as otherwise provided in subsection 2, any licensee who intends to apply to commercially grown agricultural or horticultural crops any pesticide known to be harmful to bees shall give notice of that intent to any apiarist having bees on the land to be treated or on adjacent land, so that the apiarist will be able to protect his or her bees.*

2. *The notice is not required if the apiarist has not given the government agency or the government applicator or unlicensed employee under the supervision of a government applicator current information regarding the location of the apiary.*

3. *The notice required by this section must be given personally or by telephone or electronic mail to the apiarist.*

4. *The notice required by this section must be given not more than 72 hours and not less than 24 hours before the application to each apiarist having apiaries within 2 miles of the field to be treated if the apiarist has provided the government agency or the government applicator or unlicensed employee under the supervision of a government applicator with the location of his or her apiaries. If an application is postponed after proper notice has been given, the government agency or the government applicator or unlicensed employee under the supervision of a government applicator must repeat the notice at least 12 hours before the rescheduled application.*

5. *The notice required by this section must include:*

(a) *The name of the person for whom the application is to be made;*

(b) *The location and acreage of the land to be treated; and*

(c) *The name of the pesticide to be applied.*

Sec 14. Application for government agency certificate: Form. (NRS 555.290, 555.400, AB 32 (2017))

1. *Each application for a government agency certificate must be made on a form provided by the Director.*

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2. *Each application for a government agency certificate must include, without limitation:*
 - (a) *The name of the person applying for the certificate, the name of the government agency, the street and mailing address of the a government agency.*
 - (b) *The telephone number, facsimile number, electronic mail address, if any,*
 - (c) *The number of physical locations in which the government agency will operate.*
 - (j) *The address and telephone number of each such location.*
 - (k) *The name and cellular telephone number, if any, of the employee who supervises the daily activities of the government applicator or unlicensed employee under the supervision of a government applicators at each location.*

Sec. 15 (NRS 555.390, 555.400, , AB 32 (2017))

Each person subject to the provisions of Sec 11 shall:

1. *Keep and maintain an accurate and legible record of each property treated for 2 years, showing the following:*
 - (a) *The date of the treatments.*
 - (b) *The address, or equivalent location, or operational site where the treatment was conducted.*
 - (c) *The full name of the applicator.*
 - (d) *The site treated or area, and, in the case of a spot treatment, the term “spot treatment” must be followed by a description of the treatment area and the spot or spots treated.*
 - (e) *The brand name or generic name of the pesticide that was applied and the registration number assigned to the pesticide by the United States Environmental Protection Agency.*
 - (f) *The total amount of any diluted pesticide and the concentration of the pesticide that was applied, or rate per unit and units treated with a concentrated pesticide.*
 - (g) *The temperature at the start and finish of the treatment.*
 - (h) *The wind velocity and direction at the start and finish of the treatment.*
 - (i) *The area of any pesticide applied to the soil or turf.*
 - (j) *The purpose for which the pesticide was applied.*
 - (k) *If applicable, the area or volume fumigated, and the times at which fumigation started and finished.*
2. *Report by telephone within 24 hours to the Director or his or her designee the accidental spillage at sites of operations of more than 1 gallon of liquid or 4 pounds of dry weight of unmixed pesticides that are detrimental to persons, wildlife, domestic animals or crops.*
3. *Report by telephone to the Director or his or her designee within 48 hours any cases of apparent pesticide poisoning requiring medical treatment.*
4. *Submit to the Director any reports or records he or she requests.*
5. *The governmental agency shall pay for the cost of any cleanup resulting from pesticides spilled in the course of operations for pest control.*
6. *As used in this section, “spot treatment” means the application of pesticide to a spot or two or more noncontiguous spots, the total coverage of which does not exceed one-tenth of the size of the total treatable area. The size of each individual spot for indoor applications must not exceed 2 square feet and for outdoor applications must not exceed 4 square feet.*

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