



State of Idaho

DIVISION OF FINANCIAL MANAGEMENT

Executive Office of the Governor

Proposed/Temporary Administrative Rules Form

Section 1 (To be completed by Agency)

Agency Name: Department of Agriculture		STARS Agency Code: 210	Fax Number: 334-3547	Date: 5/1/2012
Contact Person: Ben Miller	Title: Bureau Chief	Phone: 332-8593	Email: Ben.Miller@agri.idaho.gov	
Person Authorizing Rule: Brian Oakey	Title: Deputy Director	Phone: 332-8552	Email: Brian.Oakey@agri.idaho.gov	

Section 2 (To be completed by Agency)

Statutory Authority for the rule making (Idaho Code, Federal Statute or Regulation):
Idaho Code § 22-3421

Title, Chapter, and Possible Docket (IDAPA) Number:
IDAPA 02.03.03, Rules Governing Pesticide and Chemigation Use and Application

This Rule is: Proposed Temporary Effective Date:

If Temporary Rule:
 Necessary to protect the public health, safety, or welfare; or
 Compliance with deadlines in amendments to governing law or federal programs; or
 Conferring a benefit.

If this is a temporary rule which imposes a fee or charge, provide justification as described in Idaho Code 67-
This rule does not impose a fee or charge.

Provide a fiscal impact statement, both positive and negative, by fund source for all programs affected:
ISDA does not anticipate any fiscal impact from the changes to be made to the Rule during this rulemaking.

Need for Proposed Rule Change:
To add a new soil fumigation license category for the private applicator license. Due to recent changes to soil fumigation labels by the United States Environmental Protection Agency (USEPA), all private applicators who want to purchase or apply soil fumigation products will have to attend training every three (3) years, specific to the soil fumigation product they wish to purchase. The USEPA will allow any private applicator with a soil fumigation category on their pesticide license to purchase soil fumigation products without the required training.

Proposed Rule Changes (Summary Only):
Amend IDAPA 02.03.03.050.c, Rules Governing Pesticide and Chemigation Use and Application, to add a Soil Fumigation (SF) category for private applicators.

Interest Group(s) or Citizens Affected:
Pesticide applicators, dealers and registrants.

Section 3 (DFM Use Only)

DFM Analyst Comments:
Due to federal regulation the Department of Agriculture needs to add Soil Fumigation to their categories that applicators need to be certified and licensed for. This was recommended by the Pesticide Advisory Committee at a spring meeting.

The department will be conducting negotiated rulemaking and information will be posted on their website requesting comments/questions during a comment period. They will also be mailing out information to all licensed applicators and request comments/questions regarding these updates to the rule.

DFM Analyst Fiscal Impact Review:
 There is no fiscal impact to the agency with this rule change.

DFM Analyst Signature & Date:
 Anita Hamann – May 14, 2012

Recommend:
 Yes No

Gov Special Assistant Signature & Date:
 Bonnie Butler 05/14/12

Recommend:
 Yes No

DFM Administrator Signature & Date:
 5/13/12

Approval:
 Yes No

Section 4 (To Be Completed By DFM / PARF Coordinator)		
	Date	Days
Received by DFM from Agency	5/9/2012	0
Received by DFM Analyst from Coordinator	5/9/2012	0
Received by Coordinator from Analyst	5/14/2012	5
Received by Governor's Special Assistant from Coordinator	5/14/2012	0
Received by Coordinator from Governor's Special Assistant	5/14/2012	0
Received by DFM Administrator		

Return via email to: info@dfm.idaho.gov

