**WAC 16-228-1548 Requirements for direct supervision of noncertified applicators by certified applicators.** (1) General requirements:

(a) The certified applicator must meet the following general requirements before supervising the use of federal restricted use pesticides by a noncertified applicator:

(i) The certified applicator must have practical knowledge of applicable state and federal supervisory requirements including any requirements on the product label and labeling regarding use of pesticides by noncertified applicators.

(ii) The certified applicator must be certified in each classification applicable to the use being supervised.

(b) The certified applicator must ensure that each noncertified applicator using a pesticide under the direct supervision of the certified applicator meets all the following requirements:

(i) The noncertified applicator has met all the qualification requirements listed in subsection (2) of this section.

(ii) The noncertified applicator has been instructed in the last 12 months in the safe operation of any equipment they will be using for mixing, loading, transferring, or applying pesticides.

(iii) The noncertified applicator has met the minimum age required to use pesticides under the supervision of the certified applicator. The noncertified applicator must be at least 18 years of age except that the noncertified applicator may be at least 16 years of age if all the following are met in addition to any applicable minimum age requirements under the worker protection standard:

(A) The noncertified applicator is using the restricted use pesticide under the direct supervision of a certified private applicator who is an immediate family member as defined in WAC 16-233-016(20).

(B) The pesticide is not a federal restricted use fumigant.

(C) The noncertified applicator is not applying pesticides aerially.

(c) The certified applicator must ensure that all the following are met before allowing a noncertified applicator to use a pesticide under their direct supervision:

(i) The certified applicator must ensure that the noncertified applicator has access to the applicable product labeling at all times during its use.

(ii) The certified applicator must ensure that any noncertified applicator has clean labeling-required personal protective equipment in proper operating condition when the labeling requires that personal protective equipment be worn for mixing, loading, applying, or any other use activities. The certified applicator must also ensure that the personal protective equipment is worn and used correctly for its intended purpose.

(iii) Before use of a pesticide, the certified applicator must provide to each noncertified applicator instructions specific to the site and pesticide used. These instructions must include labeling directions, precautions, and requirements applicable to the specific use and site and how the characteristics of the use site and the conditions of application might affect the risk of adverse effects. The certified applicator must provide this information in a manner that the noncertified applicator can understand.

(iv) The certified applicator must ensure that before each day of use, equipment used for mixing, loading, transferring, or applying pesticides is in proper operating condition as intended by the manufacturer and can be used without risk of adverse effects to the noncertified applicator, other individuals, or the environment.

(v) The certified applicator must ensure that a means to immediately communicate with the certified applicator is available to each noncertified applicator using pesticides under their direct supervision.

(vi) All certified applicators except private applicators, limited private applicators, and rancher private applicators must be physically present at the site of application when supervising any type of application, except when general use pesticides are applied using nonapparatus type equipment in forest situations. All certified applicators must be physically present at the site of the use being supervised when required by the product labeling.

(2) Before any noncertified applicator uses a federal restricted use pesticide under the direct supervision of a certified applicator, in addition to the general requirements listed in subsection (1) of this section, the supervising certified applicator must ensure that the noncertified applicator has met one of the following qualifications:

(a) The noncertified applicator has been trained in accordance with subsection (3) of this section within the last 12 months.

(b) The noncertified applicator has met the training requirements for an agricultural handler under WAC 16-233-201 within the last 12 months.

(c) The noncertified applicator is currently a certified applicator but is not certified to perform the type of application being conducted or is not certified in the jurisdiction where the use will take place.

(3) Requirements for training programs for noncertified applicators applying federal restricted use pesticides under the direct supervision of a certified applicator:

(a) General noncertified applicator training must be presented to noncertified applicators either orally from written materials or audiovisuals. The information must be presented in a manner that the noncertified applicator can understand. The person conducting the training must be present during the entire training program and must respond to the noncertified applicator's questions.

(b) The person who conducts the training must meet one of the following requirements:

(i) Trainer must be currently licensed as an applicator under this chapter.

(ii) Trainer must be currently designated as a trainer of certified applicators or pesticide handlers by the director.

(iii) Trainer must have completed an approved pesticide safety train-the-trainer program for trainers of handlers under the worker protection standard, chapter 16-233 WAC.

(c) The noncertified applicator training materials include the information that noncertified applicators need in order to protect themselves, other individuals, and the environment before, during, and after making a restricted use pesticide application. The noncertified applicator training materials must include, at a minimum, the following:

(i) Potential hazards from toxicity and exposure that pesticides present to noncertified applicators and their families, including acute and chronic effects, delayed effects, and sensitization.

(ii) Different routes of exposure and how they may occur.

(iii) Signs and symptoms of pesticide poisoning.

(iv) Routing and emergency first aid and decontamination procedures including:

(A) Emergency eye flushing techniques.

(B) Steps to follow after dermal exposure to pesticides such as washing with soap and water, shampooing hair, and changing into clean clothes.

(C) Washing hands before eating, drinking, using chewing gum or tobacco, or using the toilet.

(v) How and when to obtain emergency medical care.

(vi) Potential hazards from pesticide residues on clothing and shoes and precautions to take to avoid exposure.

(vii) Potential hazards to children and pregnant women from pesticide exposure.

(viii) How to report suspected pesticide use violations to the director or other appropriate agency responsible for pesticide enforcement.

(ix) Format and meaning of information contained on pesticide labels and in labeling applicable to the safe use of the pesticide, including the location and meaning of the restricted use pesticide statement, how to identify when the labeling requires the certified applicator to be physically present during the use of the pesticide, and information on personal protective equipment.

(x) The need for and appropriate use of personal protective equipment.

(xi) How to recognize, prevent, and provide first-aid treatment for heat-related illness.

(xii) Safety requirements and restrictions for handling, transporting, storing, and disposing of pesticides including general procedures for spill cleanup.

(xiii) The potential for environmental consequences of the use and misuse of pesticides including factors such as drift, runoff, and wildlife hazards.

(xiv) Restrictions on the use of restricted use pesticides and who can apply them.

(xv) Restrictions on taking pesticides or pesticide containers used at work to the home.

(xvi) The responsibilities of the certified applicator as specified in subsection (1)(c) of this section.

(4) Recordkeeping.

(a) Certified applicators except private applicators, limited private applicators, and rancher private applicators, prior to directly supervising the use of federal restricted use pesticides, must create or verify the existence of records documenting that each noncertified applicator has the qualifications required in subsection (2) of this section. For each noncertified applicator, the records must contain the information appropriate to the method of qualification:

(i) If the noncertified applicator was trained in accordance with subsection (3) of this section, the record must contain all the following information:

(A) The noncertified applicator's printed name and signature;

(B) The date the noncertified applicator met the training requirement;

(C) The name of the individual who provided the training;

(D) The title and description of the training provided.

(ii) If the noncertified applicator was trained in accordance with subsection (2)(b) of this section, the record must contain all the information required by WAC 16-233-201(4).

(iii) If the noncertified applicator is a certified applicator who is not certified to perform the type of application being conduc-

ted or not certified in the jurisdiction where the use will take place, the record must include all the following information:

(A) The noncertified applicator's name;

(B) The noncertified applicator's license number;

(C) The expiration date of the noncertified applicator's license;

(D) The certifying authority that issued that license.

(b) Certified applicators except for private applicators, limited private applicators, and rancher private applicators must create or verify the existence of the record containing the required information specified in (a) of this subsection before allowing the noncertified applicator to use federal restricted use pesticides under their direct supervision.

(c) Certified applicators, except for private applicators, limited private applicators, and rancher private applicators, supervising any noncertified applicator must have access to records documenting the information required in (a) of this subsection at the certified applicator's principal place of business for two years from the date the certified applicator used the federal restricted use pesticide.

(d) Private applicators supervising noncertified applicators must comply with training records recordkeeping requirements specified in WAC 16-233-201.

[Statutory Authority: RCW 17.21.030(2) and 15.58.040(2). WSR 25-22-065, s 16-228-1548, filed 10/31/25, effective 1/1/26.]