

**ORDER**

4/28/78

**1050.12**

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

**SUBJ: APPLICATION OF NONRESTRICTED AND RESTRICTED-USE PESTICIDES**

**1. PURPOSE.** This order prescribes the requirements for the application of pesticides/herbicides at FAA-owned or leased facilities and implements within FAA Order DOT 5600.1, Pesticide Application at Department of Transportation Facilities.

**2. DISTRIBUTION.** This order is distributed to branch level in the Airway Facilities and Logistics Services and the Office of Environmental Quality and to division level at the Metropolitan Washington Airports in Washington headquarters; to division level in the regional Airway Facilities and Logistics divisions; to division level in the Supporting Services Division at NAFEC; to division level at the Management Training School, FAA Academy, and Airway Engineering Support Division at the Aeronautical Center; and minimum distribution to Airway Facilities field offices.

**3. BACKGROUND.** The Airway Facilities Service letter of May 12, 1977, advised that the Supreme Court decided that State certification of Federal pesticide applicators who use restricted—use pesticides on federally owned or leased lands was not mandatory. The Federal Regulations on certification of pesticide applicators (40 CFR 171) require Federal agencies which desire to certify applicators to submit a Federal Agency Plan (FAP) of certification to the Environmental Protection Agency (EPA) for approval. The FAP approval, in part, will require the agency to employ qualified personnel as necessary to carry out the plan. This will require personnel with specific skills, job titles, and job functions up through the organizational structure to several levels above the certified applicators. In addition to fulfilling all the EPA requirements, the Federal agencies which certify applicators will have to fulfill the substantive requirements of the plan of each state in which restricted-use pesticides are applied. In preparing this plan, an analysis was conducted of the amounts and types of restricted-use pesticides which were used by the FAA. As a result of this analysis, it was determined that the use of these pesticides was minimal in comparison to the total agency pesticide program, It was further determined that applications of these pesticides could be best performed by outside contractors.

**4. REQUIREMENTS.** Effective with the issuance of this order, the requirements for the chemical control of vegetation and other pests is that whenever possible the program shall be accomplished using pesticides/herbicides which are not classified as restricted-use by EPA. Whenever adequate control can only be achieved through the use of restricted-use pesticides/herbicides, their application shall be by contract with commercial applicators who are certified to apply pesticides/herbicides in the State in which the pesticide/herbicide is applied. FAA applicators of nonrestricted-use pesticides/herbicides should have training in the use and knowledge of the effects of pesticide/herbicide applications.

Warren C. Sharp

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