



Date: April 2013

To: Licensed Aerial Applicators and Registered Aerial Consultants

From: Gretchen Paluch, Ph.D., Chief, Pesticide Bureau  
e-mail [pesticides@iowaagriculture.gov](mailto:pesticides@iowaagriculture.gov)

RE: Regulatory Requirements for Aerial Applicator Operation

The 2013 Iowa legislature passed House File 458, which modifies the amount of financial responsibility required for commercial pesticide applicators and went into effect March 28, 2013. Senate File 2311 was passed by the 2012 legislature, effective July 1, 2012, which included changes affecting commercial, public, and private pesticide applicators. This memo is a summary of the regulatory requirements of Chapter 206 *Iowa Code* regarding the licensing and certification and requirements for all *aerial* pesticide applicators operating in Iowa.

### **Aerial Applicator Operation in Iowa**

An aerial applicator license may be issued when the applicant has provided the names and license number of the aerial applicator consultant and other required information on the application form, passed the required certification examinations, and paid the commercial applicator license and certification fees in compliance with *Iowa Code* sections 206.5 and 206.6.

All aerial applicators operating in Iowa will need to comply with the following requirements before a license is valid:

1. **Commercial Pesticide Applicator License Fee.** Commercial applicators engaging in the business of applying pesticides to the lands or property of another must obtain a commercial applicator license. Annual license fee is \$25 for the business.
2. **Certification.** All commercial pesticide applicators must obtain a Category 11 – Aerial Applicator Iowa Certification. Individual applicator certification fee is \$75 for three years. The one-year fee payment option was no longer available as of 7/1/2012.
3. **Proof of Financial Responsibility.** Applicants must provide proof of financial responsibility consisting of a surety bond, liability insurance or irrevocable letter of credit issued by a financial institution. Insurance certificates must be specific to the name of the insured and also list the N number for each aircraft used to apply pesticides in Iowa. Please note the expiration date of your policy and make sure a new certificate of insurance is filed with the Pesticide Bureau upon expiration of the previous policy. The minimum amounts of coverage required for issuance of a commercial pesticide applicator license as of 3/28/2013 are \$100,000 property damage and \$100,000 public liability insurance, each separately OR liability insurance with limits of \$100,000 per occurrence and \$300,000 annual aggregate.
4. **Iowa Agent Designation.** Non-resident applicators must file a power of attorney form designating the Iowa Secretary of State as their agent. If you are a non-resident and you had an Iowa commercial applicator license under your current business name last year then you don't have to file this form in subsequent years.

- 5. Containment Verification.** Applicants must provide verification of compliance with containment requirements. If an Applicator Secondary Containment Facility and/or Portable Device Agreement form was filed with your initial license application and the information submitted initially remains current, you are not required to file this agreement again.

If you previously submitted an agreement to permit an applicator access to your containment and the terms of that agreement are no longer in effect, you must notify the Pesticide Bureau of the changes. Notification of changes may be made by e-mail ([pesticides@iowaAgriculture.gov](mailto:pesticides@iowaAgriculture.gov)) or fax (515-242-6497) or by mail.

- 6. Iowa Aerial Applicator Consultant.** Licensed aerial applicators applying pesticides to agricultural land shall operate in Iowa under consultation with an aerial applicator consultant. Iowa aerial applicator consultants must identify name and certification numbers of Iowa aerial applicators to whom they are providing services. An Iowa aerial applicator must have a consultant before a commercial applicator certification can be issued. Consultants are required to meet with each aerial applicator prior to the first application of pesticides and daily thereafter during the term that the consultant is providing services to the applicator. Consultants are also required to maintain for three years, proof of meeting with and verifying compliance of each aerial applicator for which consulting services are provided. (*Verification Form for Aerial Applicator Consultant*). Aerial applicators will remain under a consultant until the consultant notifies the Pesticide Bureau of termination of the consultant services in writing via email, fax or mail.

**Aerial Applicator Consultant** means a person who is a *resident of Iowa* and holds a valid certification in Category #11, Aerial Application, and either an Iowa commercial applicator license or pesticide dealer license, who coordinates the commercial application of pesticides by aerial applicators. Aerial applicator consultant duties and responsibilities are provided under 21 IAC 45.22(17.)

- 7. Pesticide Handler Certification.** Individuals who mix and load pesticides (in bulk or open containers) are required to be certified as pesticide handlers if they are not a certified applicator.
- 8. Part 137 Certification.** Provide proof of FAA Part 137 certification and name of the Chief Supervisor associated with the Part 137.
- 9. IDOT Aircraft Registration.** All licensees, regardless of the time working in Iowa, will need to submit evidence that their aircraft used to apply pesticides in Iowa are registered with the Iowa Department of Transportation prior to making pesticide applications for hire.

**Pesticide Bureau Website:** <http://www.iowaagriculture.gov/pesticides.asp>

**Pesticide Bureau e-mail:** [pesticides@iowaAgriculture.gov](mailto:pesticides@iowaAgriculture.gov)

**Pesticide Bureau Fax:** 515-242-6497

**Licensing and Certification** – Tammy Green: 515-281-5601 or [tammy.green@iowaAgriculture.gov](mailto:tammy.green@iowaAgriculture.gov)

**Iowa Department of Transportation, Aircraft Registration:** Phone: 515-239-1691; Fax: 515-233-7983; Email: [aircraftRegistration@dot.iowa.gov](mailto:aircraftRegistration@dot.iowa.gov); Web: [www.iowa.gov/aviation](http://www.iowa.gov/aviation)