

What are restricted-use pesticides?

Both the EPA and the Florida DACS have classified all pesticides, based on their active ingredient, as either "general-use pesticides" or "restricted-use pesticides."

- General-use pesticides may be applied by anyone who follows the label instructions and adheres to the law.
- Restricted-use pesticides, however, may only be applied by licensed applicators or those working under the direct supervision of a licensed applicator. All EPA-classified restricted-use pesticides are incorporated into the DACS list by reference. The Department of Agriculture and Consumer Services has also issued its own list, however, so a pesticide could conceivably be restricted in Florida while still open to general use under EPA rules.

Both federal and state law provide for different types of licenses for private and commercial applicators of restricted-use pesticides. Generally, private applicators are authorized to apply pesticides to their land only. Testing and other requirements are different for private and commercial applicators. The distinction is also important with regard to license violations, as commercial applicators are subject to substantially more severe penalties than private applicators.

When is a NPDES permit required?

Under the federal Clean Water Act (as outlined in the "Solid Waste" section), any point source pollution of a navigable waterway must have a NPDES permit from the EPA. (See also: "Clean Water Act.") While irrigation return flow is exempted from this requirement, other agricultural polluting activities are not. For instance, a ditch containing fertilizers or pesticides entering navigable waterways is a point source of pollution, and is subject to the permitting requirements of this act.

What about drinking water?

Any pollutant introduced into a source of drinking water, including wells and aquifers, is subject to regulation under the federal Safe Drinking Water Act. It should be mentioned that this act has been interpreted to cover irrigation return flow which seeps back into subsurface water as an "underground injection" if the flow carries any pollutants.

How should pesticides be stored and disposed of?

The FIFRA requirements for adherence to label instructions also extends to the storage and disposal of pesticides. Further, pesticides often fall within the "hazardous waste" classifications of RCRA, and are usually subject to "solid waste" disposal regulations. The RCRA or FIFRA sections of this publication should be reviewed before storing or disposing of any pesticides.

The EPA provides guidelines for the storage and disposal of pesticides which, while not mandatory, are helpful in dealing with specifics of locating storage sites, protecting groundwater and other ways of avoiding environmental contamination.

What are the antisyphon requirements?

Florida law requires that all irrigation systems which are used to administer crop management materials, such as pesticides or fertilizers, be equipped with antisyphon devices to prevent the backflow of pesticide- or fertilizer-contaminated water to the aquifer. These rules also apply to pesticides pre-mixed with fertilizer, although such