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Minnesota Crop Production Retailers

# REGULETTER

## Addressing Lights on Nurse Wagons

Work continues after a federal law requires manufacturers of nurse wagons to include lights on any trailer manufactured after June 2017. Jean Payne and John Rebholz with the Illinois Fertilizer and Chemical Association (IFCA) recently made a presentation at the annual meeting of the American Society of Ag & Biological Engineers (ASABE) in Detroit to explain the issue and propose alternatives to the new requirement. IFCA has been working with the Agricultural Retailers Association (ARA) and ASABE to seek more flexibility on this standard. The presentation resulted in the formation of a small working group to come up with a resolution. Our thanks to John Rebholz for volunteering to be on the subcommittee! This comes with good timing as input can also be given as the group is considering requiring brakes on nurse wagons in the future. While we are already seeing the problems of the inability to hook the light terminals up to older toolbars or when nurse tanks are pulled in combinations, the addition of brakes would greatly compound maintenance issues as these trailers are used in the field of application.

(Asmark Institute)

## EPA to Ban Chlorpyrifos

The US Court of Appeals for the 9th Circuit has ordered the EPA to finalize a proposed ban on the insecticide chlorpyrifos. The ruling gives EPA 60 days to revoke all allowable limits in food and cancel all approved uses for the pesticide. Chlorpyrifos has been in the regulatory spotlight since 2015, when the agency proposed to ban the chemical but did not finalize the rule. This decision will have

far-reaching effects as chlorpyrifos has been used since 1965 in the US and is still commonly used on dozens of food crops, including fruits, vegetables and nuts. Nationally, it is found in products registered by about 20 different companies and sold under various brands, including Lorsban and Cobalt Advanced.

(Asmark Institute)

## OSHA Redesigns Regulations Webpage

OSHA redesigned the Law and Regulations webpage that features information on standards and rulemaking. Users can now search standards by keyword or number, find a list of key resources and see the latest updates on active rulemaking. The page also features information buttons to explain regulatory language that may be unfamiliar to some users. Visit the revised page here: <https://www.osha.gov/law-regs.html> to learn how OSHA accomplishes its mission through rulemaking.

(Asmark Institute)

## Experienced Applicator Training Course - Registration Now Open!

The Asmark Institute and AGCO Corporation have teamed up to offer the second new training course to help experienced applicators become the most professional applicators possible. Not to be confused with the 4-day course for beginners, this new 2-day course is designed specifically for applicators with three or more years of experience and is dedicated to continuing the development and education of professional applicators. This cutting-edge course is led by Greg Yoder and Gary Cornell,

who have a combined total of 90 years of experience in the field. Both instructors started their careers as professional applicators and bring a wealth of knowledge to the course.

This course is essentially a refresher and "re-boot" experience for seasoned applicators. Over the past two decades, operators have developed skills limited to certain products such as glyphosate. Currently, we are entering an era of prescription weed control, where every field could require a different tank mix to control pesticide-resistant weeds. Applicators need to be armed with all the skills and knowledge possible to perform their duties as a professional applicator. This course will cover the following topics and help provide the tools necessary to accomplish this.

- Topics covered
- Weed Identification
- Assessing Each Field
- Safety on the Road
- Maintenance
- Understanding Product Labels
- Field Math
- Measurements
- Calibration - Liquid and Dry
- New Chemistry & Challenges
- Difference in Tank Additives
- Drift Management Options & Strategies
- Tank Cleanout
- Recordkeeping
- Tabletop Scenarios

The Experienced Applicator Training course is a very hands-on course held in a classroom filled with scenarios, demonstrations and

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exercises. The 2-day course will be offered from November through March since there are no driving exercises or scenarios outdoors. Participants will learn and build upon their experience to become proficient in the skills required of a professional applicator. Each part of the course builds the participants knowledge-base and over the progression of the two days, creates a comprehensive thought process. To learn more about the new course and to register visit: <https://www.asmark.org/TrainingCourses/applicator-training.cgi>.

(Asmark Institute)

## 2018 International Roadcheck Results Released

The Commercial Vehicle Safety Alliance (CVSA) recently released the results of Roadcheck 2018, held June 5-7, 2018. This year's special emphasis was placed on hours-of-service compliance. CVSA inspectors carried out 67,502 truck and bus inspections across Canada and the United States in the 3 day inspection and enforcement event. Of those inspections, 45,400 were North American Standard Level I Inspections. Level I Inspections involve a 37-step procedure that includes an examination of both driver requirements and vehicle safety, making it the most thorough of the levels inspections performed by enforcement. During the event, 21.6 percent of commercial motor vehicles that received Level I Inspections were placed out of service.

The top vehicle out-of-service conditions were for brake systems, tires and wheels, and brake adjustment. If you combine brake adjustment and brake system violations, it accounts for 44.7 percent of all out-of-service vehicle violations. The top driver out-of-service conditions were for hours of service, wrong class license and false record of duty status. In addition, there were 729 safety belt violations.

(Asmark Institute)

## GAO Report on CFATS Program Released

A new Government Accountability Office (GAO) encourages the Department of Homeland Security (DHS) to share more information with first responders for facilities that are covered under the DHS Chemical Facility Anti-Terrorism Standards (CFATS) program. DHS developed

a secure interface called the Infrastructure Protection Gateway that provides access to CFATS facility-specific data on chemical inventories, but the report points out that the gateway is underutilized.

By encouraging wider use of the gateway, DHS would have greater assurance that responders have information about high-risk facilities and the chemicals they have on site. The report also recommends changes to the CFATS site security scoring methodology that would take into account security measures implemented by the facility during the compliance inspection process. Visit: <https://www.gao.gov/assets/700/693817.pdf> to read the full report.

(Asmark Institute)

## Various Recommendations Sent to EPA Regarding Dicamba

The reports abound of state regulators, trade associations and companies all sending in letters of their recommendations on how EPA should handle the registration renewal for the dicamba herbicides XtendiMax (Bayer), Engenia (BASF) and FeXapan (Corteva) for 2019. The Agricultural Retailers Association (ARA) suggests restrictions based on crop growth stage, weed size, temperature or other variables that are tied to the growing season while the American Association of Pesticide Control Officials (AAPCO) asked the agency to set an "early-season" cutoff date — but only if states are permitted to use Special Local Needs (24-C) labels to adjust those dates.

AAPCO represents the state officials tasked with enforcing herbicide labels and dicamba complaints have seen significant increases the past two years. Their recommendations also address the difficulty in enforcing the current labels and the problem for state regulators in handling the volume of dicamba complaints. While EPA has received plenty of information, the hope now is that a decision will come soon enough for growers to make seed decisions for 2019. View the recommendation letters from:

- ARA: <https://www.asmark.org/data/ARADicambaRecommendationLetter.pdf>
- AAPCO: <https://www.asmark.org/data/aapco-dicamba-letter-august-29-2018.pdf>

(Asmark Institute)

