



STATE OF WASHINGTON

DEPARTMENT OF AGRICULTURE

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Concise Explanatory Statement
for amendments to
Chapter 16-228 WAC
General Pesticide Rules

On September 23, 2025, the Washington State Department of Agriculture held two virtual hearings using Microsoft Teams at 9:00 PM and 6:00 PM to accept testimony on its proposal to amend chapter 16-228 WAC by:

1. Updating pesticide licensing examination standards by codifying a mandatory waiting period between exam failures, which is currently enforced, in part, by policy, and clarifying that examination proctors may not take pesticide licensing examinations during sessions they are administering.
2. Updated licensing requirements by eliminating substitution allowances for the core laws and safety pesticide requirements, updating license categories by adding, merging, and removing categories, and introducing stronger competency standards for almost all licensees.
3. Updating pesticide dealer requirements, clarifying that pesticide dealers may sell or distribute to other pesticide distributors and expanding recordkeeping requirements for restricted use pesticides to include expiration date of the license, license categories relevant to the pesticide purchased, and, if applicable, Section 18 or Special Local Need registration numbers.
4. Updating pilot and aircraft standards by revising language to ensure pilot and aircraft requirements apply to all aerial pesticide applicators, not just commercial applicators.
5. Adding standards relating to the direct supervision of non-certified applicators using restricted use pesticides, detailing requirements including responsibilities of both the supervising certified applicator and the non-certified applicator and establishing a minimum age requirement for non-certified applicators.
6. Revising sections for clarity and consistency.

Reasons for Adopting the Rule

The Washington State Department of Agriculture (WSDA) is responsible for certifying and licensing pesticide applicators, dealer managers, consultants, and structural pest inspectors. This oversight is conducted under a cooperative agreement with the Environmental Protection Agency (EPA), ensuring compliance with both federal and state regulations.

In 2017, the EPA updated its Certification of Pesticide Applicators Rule (C&T Rule), 40 CFR 171, for the first time since its original release in 1974. These updates aim to strengthen certification standards and promote the safe and responsible use of restricted use pesticides.

September 24, 2025

Under the revised federal rule, state lead agencies like WSDA are required to develop and maintain state certification plans that meet or exceed the federal standards. WSDA submitted its updated state plan to EPA in March 2020 and received approval in November 2022.

Key changes in Washington's plan include:

- Updated certification requirements and higher competency standards for most pesticide licensees
- New certification categories based on specific application methods
- New direct supervision requirements and standards for non-certified applicators using restricted use pesticides.
- Expanded requirements for pesticide dealers

To align with the changes proposed in Washington's EPA-approved plan, multiple sections of Chapter 16-228 WAC (General Pesticide Rules) must be amended. These updates will affect nearly all current and future licensed pesticide applicators, consultants, and dealer managers in Washington State.

Summary of Comments and the Department's Response

The public comment period ran from August 19, 2025, until the close of business on September 23, 2025. During that time, no written comments were received regarding the proposed amendments. No oral comments were received.

Differences Between the Proposed and Adopted Rule

None