

● **WEST VIRGINIA PESTICIDE CONTROL ACT OF 1990 (AERIAL APPLICATION)**

STATUTORY CITATION: W. Va. Code §§ 19-16A-1 – 19-16A-27

RELATED REGULATIONS: W. Va. Code R. § 61-12A-6.3.n

GENERAL SUMMARY: Regulations adopted under the West Virginia Pesticide Control Act include requirements explicitly relevant to aerial operations.

SPECIFIC TERMS AND CONDITIONS: In addition to demonstrating competence in agricultural plant pest control by passing a state-administered written examination, applicants for certification as aerial pesticide applicators must hold a valid agricultural applicator certificate from the Federal Aviation Administration. Like most other classes of commercial pesticide applicators, aerial applicators must have liability insurance or other financial security covering potential legal damages arising from their operations, in the minimum amount of \$300,000 for bodily injury or death, and \$100,000 for property damage.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Pesticide Regulatory Unit, Regulatory and Environmental Affairs Division, West Virginia Department of Agriculture, Charleston, West Virginia 25305 (304-558-2209).* The Department is responsible for the testing, licensing and certification of aerial pesticide applicators in the state, and for assuring their compliance with the Act and the corresponding regulations governing their activities.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*