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October 13, 2020

Steve Wellman, Director
Nebraska Department of Agriculture
301 Centennial Mall South
Lincoln, NE 68509-4947

Director Wellman,

The Nebraska Agri-Business Association (NeABA) would like to offer comments to the Nebraska Department of Agriculture (NDA) on the proposed pesticide regulations resulting from the passage of Legislative Bill 320 in 2019, updating the Nebraska Pesticide Act.

NeABA is a trade association representing agricultural retailers, applicators, distributors and manufacturers of agriculture input products, supplying and servicing Nebraska's farmers and ranchers. Our ag retailers provide sales and custom application of crop protection products, including restricted use pesticides.

LB 320 was necessary following changes to Federal applicator certification regulations by the U.S. Environmental Protection Agency (EPA). While the majority of the updates are technical and simply cleanup outdated language, NDA worked closely with stakeholders to ensure there were no unintended negative impacts. These changes will provide consistency with EPA regulations that will allow for clearer interpretation.

Including language (Sec. 003) and specifically defining the duties of non-applicators that transport, mix, load and clean application equipment will ensure these employees can continue to perform their duties and receive the necessary safety training. We appreciate the Department working to find a solution so that all agriculture employees can be trained properly and meet Federal requirements under the NDA Pesticide Program.

NeABA believes the proposed regulations reflect the intent of the EPA rule changes and LB 320's updates to the Nebraska Pesticide Act. Thank you for allowing us to make comments during the rulemaking process. If you have any questions, we would be happy to provide further information.

Sincerely,

A handwritten signature in black ink that reads "Scott Merritt". The signature is written in a cursive, flowing style.

Scott Merritt
President