



**Ohio Senate Finance Committee
House Bill 96 Interested Party Written Testimony
Tony Seegers, Representing OhioPLANT
May 30, 2025**

Chairman Cirino, Vicechair Chavez, Ranking Member Hicks-Hudson, and members of the Senate Finance Committee, my name is Tony Seegers and I represent OhioPLANT (Pesticide, Landscape, Agriculture, Nursery, and Turf professionals). OhioPLANT was founded in 1984 and has since grown to include members from all sectors of the nutrient and pesticide application industries, as well as nurseries and golf courses. OhioPLANT serves as the single voice of the pesticide and fertilizer industries in Ohio. Our members vary from trade associations such as the Ohio Green Industry Association (formerly the Ohio Nursery and Landscape Association), the Ohio Pest Management Association, Ohio AgriBusiness Association, Ohio Lawn care Association, Ohio Turfgrass Foundation, golf course owners and management associations, as well as companies such as Scotts, TruGreen, Tigersul, and companies providing extermination services.

Like with many other federal regulatory programs, Ohio has delegation authority to implement and enforce the Federal Insecticide, Fungicide, and Rodenticide Act (“FIFRA”) through the Ohio Department of Agriculture (“ODA”) in Chapter 921 of the Revised Code. To keep its delegated status, Ohio’s laws and rules must comply with federal law and regulations. In 2017, the U.S. EPA adopted amendments to the federal code of regulation for FIFRA’s pesticide certification that required changes in states’ laws to keep delegation. States had until March 4, 2020 to come into compliance, however, due to the pandemic that deadline was extended to 2023.

The budget has a provision making these changes to Ohio’s pesticide law. However, the current language does not allow for those who are licensed commercial applicators or private applicators of restricted use pesticide to directly supervise their subordinates in the application of those pesticides. The federal law change continues to allow for this supervision if the employee (or in the case of a private applicator the immediate family member or the subordinate employee of the private applicator) has training that complies with the federal rule. Admittedly, the training is onerous, but our members want the option and do not want Ohio’s law to be more restrictive than the federal rule, which would be the case with the current language’s elimination of the ability to directly supervise the application of a restricted use pesticide.

OhioPLANT supports an amendment (SC1906) that will amend the pesticide provision in the budget bill that would restore the ability of:

1. commercial applicators to directly supervise trained service personnel in the use of restricted use pesticides if the service personnel are trained in accordance with standards prescribed by the ODA director; and
2. private applicators to directly supervise the use of restricted use pesticides by an immediate family member or a subordinate employee of the private applicator if the



family member or employee has been trained in accordance with the standards prescribed by the ODA director.

OhioPLANT worked with ODA staff on language that was the basis for amendment SC1906.

Additionally, OhioPLANT supports the restoration of H2Ohio funding, especially for ODA. It is important to note that the Ohio EPA cited the H2Ohio program in its total maximum daily load (“TMDL”) submission for the Maumee Watershed to the US EPA as one of the reasons why the federal agency should grant Ohio’s TMDL. The US EPA agreed, approving Ohio’s TMDL in 2023 in part because of H2Ohio, stating:

EPA agrees with Ohio EPA’s conclusion that H2Ohio implementation efforts in the Ohio portion of the MRW are making positive strides toward improving water quality. EPA acknowledges that the number and areal coverage of implementation activities will need to accelerate moving forward in order to attain the water quality targets of the MWN TMDL. EPA notes that H2Ohio funding for Ohio fiscal years 2024 and 2025 was passed in July 2023. *The continued support of the H2Ohio program by the Governor and the Ohio General Assembly demonstrates that Ohio is committed to seeing improvements to water quality across Ohio and in the Western Basin of Lake Erie. This continued monetary support is a very positive outcome for Ohio EPA and its implementing partners* toward addressing nonpoint source inputs and ultimately improving water quality in the assessment units of the Western Basin of Lake Erie. (Emphasis added.)

Decision Document for the Maumee Watershed Nutrient TMDL, in All or Parts of 18 Counties in Northwestern Ohio, at 45-46.

It is my understanding that the approved TMDL is being challenged in federal court by an environmental law group. Cutting H2Ohio funding nearly in half may negatively impact Ohio’s defense in the case.

Thank you for your time and consideration of OhioPLANT’s written interested party testimony.