

**217B.320 Exemption from provisions of KRS 217B.300 -- Definitions -- Notification and information requirements.**

- (1) The provisions of KRS 217B.300 relating to notification and information requirements shall not apply to any golf course or its employees.
- (2) As used in this section:
  - (a) "Application" means the spreading of plant-regulating materials in liquid or dry form on a golf course;
  - (b) "Golf course" means land on which turf and ornamental care, including application of pesticides or fertilizer and storage of pesticides or fertilizer, is done for the purpose of preparing the land for use in the game of golf;
  - (c) "Plant-regulating materials" means fertilizers, pesticides, or defoliants applied or intended for application to a golf course; and
  - (d) "Turf" means the upper stratum of soils bound by grass and plant roots into a thick mat.
- (3) The following shall be required by a golf course relating to records, notification, and information requirements:
  - (a) Immediately following application of plant-regulating materials on a golf course, the applicator shall place a golf course marker on the number-one (1) and number-ten (10) tees;
  - (b) The golf course marker shall consist of, at a minimum, a four (4) inch by five (5) inch white sign attached to the upper portion of a dowel or other supporting device of not less than twelve (12) inches in length;
  - (c) Lettering on the golf course marker shall be in a contrasting color and shall read on one side "PLANT-REGULATING MATERIALS HAVE BEEN APPLIED. IF DESIRED, YOU MAY CONTACT THE GOLF COURSE SUPERINTENDENT FOR FURTHER INFORMATION" in letters easily readable and not less than three-eighths (3/8) inches in height. The golf course marker may also display a symbol depicting the required message and the name, logo, and service mark of the applicator;
  - (d) The golf course marker may be removed by the applicator or other personnel authorized by the golf course management the day following application;
  - (e) Any person whose residence directly adjoins a golf course may request prior notification of a plant-regulating material application by contacting the golf course superintendent's office and providing his or her name, address, and telephone number. If requested, the golf course shall provide notification in writing, in person, or by telephone. In the event the golf course cannot provide advance notice, the person shall be contacted at the time of application. If the golf course is unable to provide prior notification or direct notification to a resident because of the absence or unavailability of the resident, the golf course shall leave a written notice at the residence; and
  - (f) Material safety data sheets for each plant-regulating material shall be in an area of the superintendent's office where they can be easily read and accessible

by patrons of the golf course.

- (4) At the time of application of plant-regulating materials to a golf course, an applicator shall record and maintain the following information for each plant-regulating material used:
  - (a) The brand name or common name of the pesticide applied;
  - (b) The pesticide type;
  - (c) The fertilize rate and analysis;
  - (d) The reason for use;
  - (e) The concentration of end use product applied to the golf course, the rate of application, and the total gallons of end use product applied to the golf course;
  - (f) The location of area treated;
  - (g) Any special instruction appearing on the label of the plant-regulating material applicable to the golf course use following application and any other precautionary or hazard information appearing on the label as applicable to the end use concentration; and
  - (h) The name and the state applicator license or certification number of the individual actually making the application.
- (5) This record shall be maintained in the golf course superintendent's office and shall be readily available to review on request. This record shall be retained for three (3) years and be an inspectable item for the department.

**Effective:** July 14, 2000

**History:** Created 2000 Ky. Acts ch. 172, sec. 23, effective July 14, 2000.