

## **SFIREG Issue Paper: Proposed RUP Certification Regulations**

**Priority:** High

**Issue:**

The US EPA proposed new regulations to cover the certification and recertification of restricted use pesticide applicators on August 24, 2015. These regulations play a critical role in the overall pesticide regulatory program. There was considerable discomfort with the regulations as proposed. Because of the importance of this regulation, we believe state regulatory partners should be allowed an opportunity to review the revised regulation proposal prior to their being finalized. Realizing states are considered as any member of the public when it comes to rules, these regulations need to be re-proposed. This will insure a workable final regulation will be the result and also results in a competent work force.

**Background:**

On August 24 2015, the USEPA proposed in the Federal register proposed changes to 40 CFR Part 171 Pesticides, Certification of Pesticide Applicators. The regulation proposed several major changes to the regulatory structure including: tracking of credits by category, the time frame within which credits can be obtained, length of time for credit, minimum numbers for CEUs, a CEU only option, changes in certification categories, non-certified competency, a required recertification period as well as many more.

**Recommendations:**

SFIREG recommends that USEPA re-propose the regulations for the following reasons: 1) The non-emergency nature of the regulations which have been in effect for decades and no extreme issues have arisen during this time; 2) This regulation is of great importance and impacts every state; and, 3) Any regulatory proposal always has things that are missed or incorrect when being implemented. Allowing regulatory partners the opportunity to review the regulations will only improve the quality of the proposal.