

# Revised State Certification Plans

**EPA's Certification and Work Protection Branch  
Pesticide Re-Evaluation Division  
Office of Pesticide Programs**

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**SFIREG Full Committee Meeting  
December 7, 2021**



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# Outline

- **Update on State/Tribal Certification Plan Reviews**
  - OPP Update
  - National Call (12/13)
  - Certification Plan Review Dates and Status
  - Reporting Updates
- **Agricultural Worker Protection Standard (WPS) Update**
  - WPS and Application Exclusion Zone (AEZ) Rule Update



# **Update on Certification Plans**

**Certification of Pesticide Applicators Rule  
40 CFR Part 171**



# CPA Rule Extension (Oct. 2021 OPP Update)

- EPA developed a rule that would extend the date by which plans must be approved
  - Existing plans can remain in place during this time-limited extension
- Rule is currently with OMB
  - Intent is to publish before 1/3/22



# EPA Detailed Review Process and Status

- 36 of 58 certification plans reviewed by EPA as of December 6
  - Team of program staff & legal counsel in Regions and HQ
- EPA feedback through your Regional POC
- SLAs revising plans in response to comments
  - Multiple SLAs have addressed EPA comments and have resubmitted plans to EPA



# AAPCO National Certification Call

## Agenda Includes:

- Information Requested on Exams
- Jurisdiction
- FIFRA 14(a)/14(b)
- Reciprocity
- Implementation Clarification



# EPA Detailed Review Process

- Detailed Review Comments Addressed?
  - Work with EPA Regional Contact on outstanding question
  - Resubmission of Certification Plans





# Annual Reporting

- **REMINDER:** Create new Login.gov account
  - Deadline: 12/31/21
- SLAs required to report 2021 applicator totals and certification plan changes Certification Plan and Reporting Database (CPARD)
- You should receive instructions from your Regional program contact and/or project officer with the user guide
- Please begin reporting if you haven't already



# Upcoming Certification Resources

- PERC will release Core Manual addendum
- PERC (2.0) will spearhead a nationwide effort to update and expand the content needed to create the **3<sup>rd</sup> edition National Pesticide Applicator Certification Core Manual**, an accompanying bank of exam items, and training aids in English and Spanish.
- PERC will create or update **two manuals/exams** for unspecified certification categories or subcategories of a regional or national scope.



# Update on Worker Protection

## Agricultural Worker Protection Standard (WPS) 40 CFR Part 171



# WPS AEZ Rule Update

- **Until further notice from EPA, the 2015 WPS remains in effect with no changes to the AEZ provisions**
- Final Rule published Oct. 30, 2020
- Dec. 2020 - Lawsuits filed challenging AEZ Final Rule; proceedings stayed by the court
- No implementation of the 2020 AEZ Rule
  - Preliminary injunction has stayed the effective date
  - EPA enjoined from implementing the provisions
- Preliminary injunction in effect until December 20, 2021
  - Ongoing litigation could extend injunction



## **EPA Regional Contacts**

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