

Certification Plans Update

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**SFIREG Meeting
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Outline

- **Certification rule**

- Update on State/Tribal Certification Plan Reviews

- Certification rule regulatory deadline
- Status of certification plan reviews
- Communications/access to approved plans
- Process and strategies to address challenges
- Unapproved plans

- Implementation efforts

- EPA's role
- PSEP cooperative agreement
- PERC cooperative agreement



Certification of Pesticide Applicators Rule

- FIFRA requires an EPA-approved Certification Plan for RUP applicator certification programs
- Plans modified because of 2017 rule revision
- EPA's regulatory deadline for Certification Plan approval
 - **November 4, 2023 (extended from March 4, 2022)**
 - Extension informed by Regional projections and co-regulator/stakeholder comments
 - No additional extensions
- See Docket # EPA-HQ-OPP-2021-0831 at www.regulations.gov



Status of Certification Plan Approvals

- **68 certification plans in total**
- All **62 SLA and Tribal plans** have been reviewed by EPA and returned to the certifying authority for revisions
- **29 certification plans approved (SLA + Federal)**

6 Tribal Plans



39 Remaining Approvals

Region/Group	Approved	Approvals Remaining 6/01/23
1	3	3
2	4	0
3	3	3
4	3	5
5	1	6
6	0	5
7	1	5
8	2	6
9	4	3
10	3	2
OCSPP	5	1

AK, AL, AZ,
CA, CO, CT, DC, DE,
GA, HI, IN, MS, NE, NH,
NJ, NV, NY, OR, PR, RI,
SD, VI, VT, WA

Pesticide Worker Safety

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Pesticide Worker Safety Home

How EPA Protects Workers from Pesticide Risk

Recognition and Management of Pesticide Poisonings

In Case of Pesticide Poisoning

Agricultural Worker Protection Standard (WPS)

How to Get Certified as a Pesticide Applicator

Pesticide Containers

Pesticide Containment Structures

Certification Standards for Pesticide Applicators

Esta página web está disponible [en español](#)

In 2017, EPA finalized stronger standards for people who use restricted use pesticides (RUPs). The revisions to the Certification of Pesticide Applicators (CPA) rule help ensure RUPs are used safely and reduce the likelihood of misapplication of RUPs.

The [2017 C](#) [EPA final rule](#) [EPA](#) required states, territories, tribes and federal agencies ([certifying authorities](#) [EPA](#)) with existing EPA-approved certification plans to submit proposed modifications by March 4, 2020 to comply with the federal standards. Plans in place before March 4, 2020 remain in effect until EPA approves the proposed plan modifications, or until those plans otherwise expire on November 4, 2022, whichever is earlier. In February 2022, EPA issued a proposed rule seeking public comment on the need for further extending the deadline up to but not longer than November 4, 2024. [Read and comment on the proposed rule](#) [EPA](#).

EPA has completed an initial review of all certifying authorities' proposed plan modifications submitted by March 4, 2020 and provided detailed feedback to all 56 State Lead Agencies (SLAs). EPA is currently collaborating with certifying authorities on resolving the Agency's comments so that plans may be ultimately approved.

EPA is tracking the progress of the review and approval of the proposed plan modifications made in response to the 2017 CPA final rule. Below is a table that represents the status of the 56 state and territory proposed plans.

Status of Certification Plan Review, Updated May 27, 2022

	Plans Submitted to EPA	Plans with Certifying Authorities	Plans Resubmitted to EPA	Approved Plans*
Description	<i>EPA completed thorough reviews of certification plans and provided feedback to certifying authorities.</i>	<i>Certifying authorities are working on resolving EPA feedback.</i>	<i>EPA is reviewing the revisions made by certifying authorities in response to EPA feedback.</i>	<i>EPA has approved modified certification plans.</i>
Number of Certification Plans (out of 56 States and Territories)	56	38	15	3

*Approved plans identified here may not yet be published in a FR Notice.



Certification Plan Communications & Public Access

- Updates to [Web Page](#)
 - Biweekly updates

- [Federal Register Notices announcements](#)
 - 2 batches thus far

- [CPARD](#) public view
 - CWPB adding plans w/ regional and SLA concurrence



Work Plan and Prioritization

- Collaboration is important
 - Discuss timeline for addressing comments/revision
 - **Set due dates**
- Set schedule to:
 - Take all steps into account leading up to deadline
 - State reviews and revisions
 - EPA reviews
 - Quality Assurance/Quality Control
 - Regional and Headquarters
 - Routing plans through state, through EPA
 - EPA aiming to stagger reviews and routing to maintain consistency and quality of reviews, and to avoid bottlenecks



Strategies/Ideas to Address Challenges

- Set due dates
- View approved plans as reference
- Meet with EPA to go over any remaining issues
- Looping in PSEPs and other partners
- Checking in on process
- Focus on meeting federal requirements
- Other ideas?



Unapproved Plans

- Before rejecting a Plan, EPA to provide
 - Notice
 - Opportunity to have informal hearing
- EPA is responsible for implementing a federal certification plan in jurisdictions without EPA-approved plans
- However...
 - None of us want to miss this deadline or unnecessarily reject plans
 - Need to work together



Implementation Phase

- Certification plan revisions are (or will) translating to state and tribal program changes
 - Certifying authorities are making changes to certification/licensing programs, such as adding or updating applicator certification categories
 - State's approach may vary as long as competency standards addressed
- Changes may go into effect at different times, before or after the plan approvals, based on each plan's implementation schedule
- Meanwhile, existing plans and relevant parts of their programs remain in effect

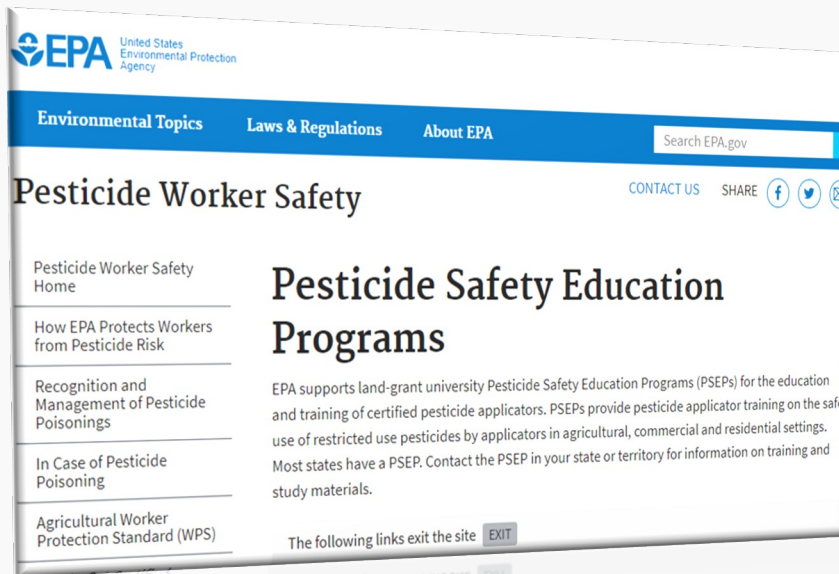


Implementation Phase

- EPA's role in a nutshell
 - Provide guidance and technical assistance, as needed
 - Implementation support
 - Review annual reporting and track implementation progress
 - Review and approve plan modifications, as needed
 - Implement EPA Plan in Indian country (e.g., issue federal certifications)
 - Support development of tools/resources (e.g., fund grants)



Powered-Up - An Advanced Pesticide Safety Education Funds Management Program



- Recipient: Extension Foundation – nonprofit
- Distributes funds to PSEPs at land grant universities
- Supports pesticide applicator education and training for certified applicators
- Projects are shared for national/regional use



Continuation of Pesticide Safety Education Program Funding

- PSEPs provide important work to train and education applicators
- Extension Foundation cooperative agreement coming to a close
 - Manages subaward program to extension to PSEPs
 - Funding was ~\$1M annually
 - Has distributed all funds available to it in 2022
- Anticipate gap in funding (approximately 1 year)
- EPA solicited applications for a new award
 - Published March 13, closed May 5, 2023
 - See [Grants.gov](https://www.grants.gov) or [EPA Grants](https://www.epa.gov/grants)

Pesticide Educational Resources Collaborative

- UC Davis in collaboration with OR State, **Coordinates the development of pesticide-related educational resources** (e.g., manuals, videos, guides) that meet national needs related to implementing the WPS and CPA regulations.
- **Applicator Certification Resources**
 - Updated seed treatment manual, non-soil fumigation certification manual, Core Manual addendum, noncertified applicator training
 - Revising the 2014 National Pesticide Applicator Certification Core Manual and Exam Bank (English expected in 2024; Spanish expected in 2025-26)
 - Revising the 2012 Soil Fumigation Manual and Exam Bank (English), expected in 2024



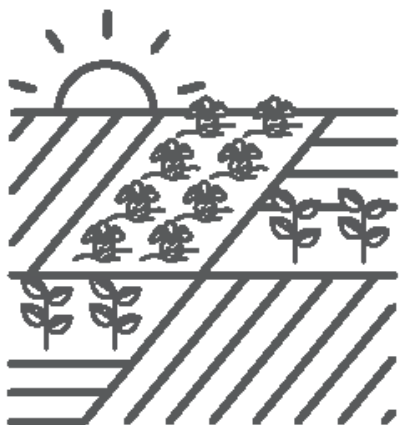


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