



Certification of Pesticide Applicators Regulation Update

**SFIREG Meeting
September 19, 2023**

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Outline

- **Update on Certification Plan Reviews**
 - Status Report: Reviews & Approvals
 - Regulatory Deadline
 - Administering EPA Plan in Indian Country

Status of Certification Plan Approvals

- **50 / 68 certification plans approved (Tribal + SLA + Federal)**

6 Tribal Plans
<ul style="list-style-type: none">• 2 approved• 2 pending signature• 2 with Tribes

56 SLA Plans
<ul style="list-style-type: none">• 43 approved• 13 not approved• 5/ 13 pending signature• 8 /13 are in progress with State and EPA

6 Federal Agency Plans
<ul style="list-style-type: none">• 5 approved• 1 not approved• EPA-administered Plan for Indian country in internal review

EPA Region or Office	Approved *	Approvals Remaining as of 9/12/23
1	5	1
2	4	0
3	4	2
4	5	3
5	5	2
6	3	2
7	5	1
8	5	3
9	6	1
10	3	2
OCSP	5	1

18/68 yet to be approved

-States, Tribes, EPA Federal Plan

* 43 States & Territories approved: AK, AL, AS, AZ, CA, CNMI, CO, CT, DC, DE, GA, HI, IA, IN, KS, KY, LA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OR, PR, RI, SD, TX, VT, WA, WV, WY

Pesticide Worker Safety

CONTACT US

- 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 CPA final rule](#) required states, territories, tribes and federal agencies ([certifying authorities](#)) 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 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	EPA completed thorough reviews of certification plans and provided feedback to certifying authorities.	Certifying authorities are working on resolving EPA feedback.	EPA is reviewing the revisions made by certifying authorities in response to EPA feedback.	EPA has approved modified certification plans.
Number of Certification Plans (out of 56 States and Territories)	56	38	15	

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

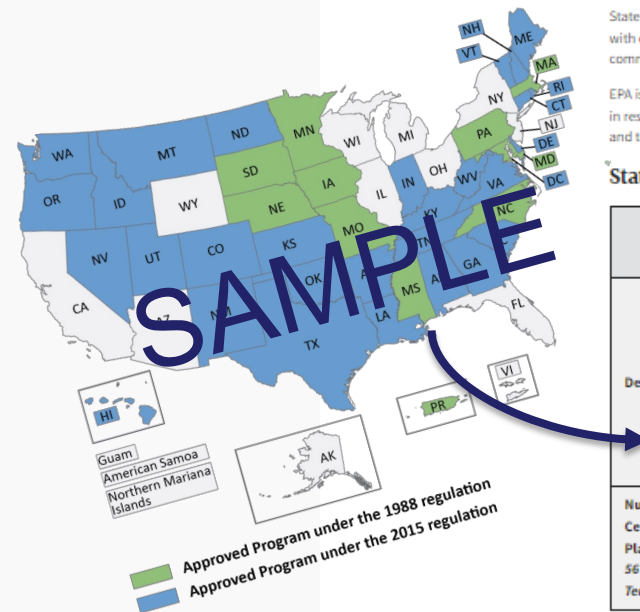
Related Information

- [EPA Extends Expiration Deadline for Pesticide Applicator Certification Plans](#)
- [Current Certification of Pesticide Applicators rule vs. Revised rule](#)
- [Learn more about certification of pesticide applicators](#)
- [Current standards for Certification of Pesticide Applicators](#)



Certification Plan Communications & Public Access

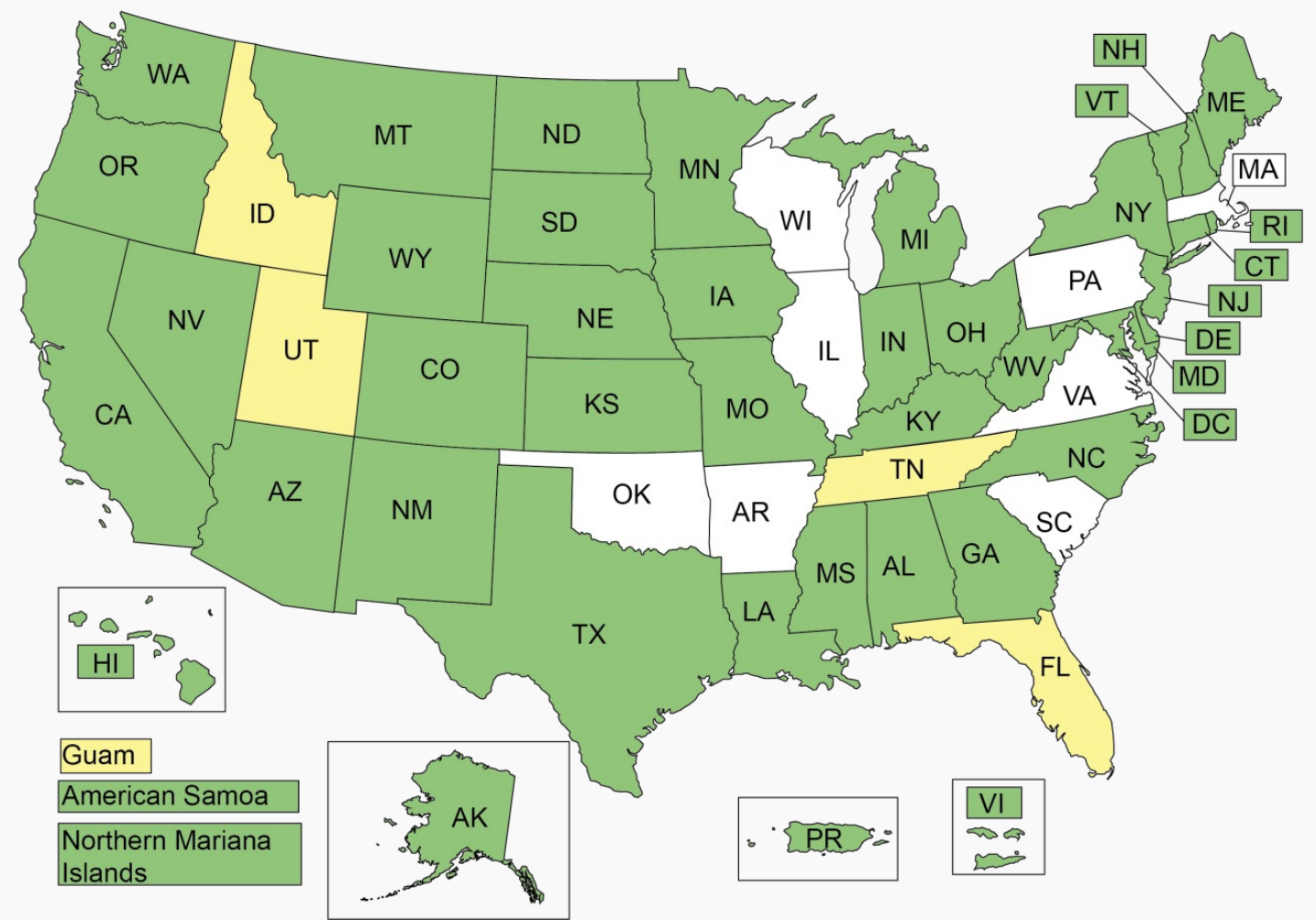
- Updates to [Web Page](#)
- [Federal Register Notices](#) announcements
 - 3 batches thus far
- [CPARD](#) public view
 - CWPB adding EPA-approved plans





Plan Under Review
 Plan in Signature for Approval
 Plan Approved

Status of State and Territory Certification Plan Review



Updated September 12, 2023



EPA Plan for Indian Country

- EPA is currently finalizing the proposed revisions to the EPA Plan to be in compliance with the 2017 Certification Rule.
- The 2014 EPA Plan remains in effect until the proposed EPA Plan is finalized and implemented.
- Tribes currently covered by the 2014 EPA Plan do not have to do anything to remain covered by the updated EPA Plan.
 - Have option to opt out of EPA Plan or to develop own plan



Status of EPA Plan for Indian Country

- Overall certification mechanism stays the same
 - EPA is still accepting underlying certifications from a state, tribe, or other federal agency with an EPA-approved certification plan.
 - Limits certification to that underlying certification (e.g., categories)
 - EPA is still offering a private applicator training as a no-test option.
- Parts of the EPA Plan are updated to comply with the Certification rule
 - Minimum age
 - Raises competency gauge and administration of applicators
 - Requires qualifications for noncertified applicators and establishes standards for supervision of noncertified applicators
 - Requires pesticide dealer reporting and updates recordkeeping



EPA Plan in Indian Country – Implementation

- Bringing Applicators into Compliance
 - For applicators with underlying certificate (from states, tribes, or other federal agencies with EPA-approved plan), applicators will follow the schedules of the underlying certificate's implementation plan
 - Applicators have to follow supervision requirements per the underlying certificate
- Updating the Private Applicator Training
 - Content (i.e., updated competency standards)
 - Administration of (e.g., verify identity)
 - Improve/modernize (e.g., more engagement of trainees)



EPA Plan in Indian Country Resources

- EPA's website:
<https://www.epa.gov/pesticide-applicator-certification-indian-country>
- [Regulations.gov](https://www.regulations.gov)
 - Docket: EPA-HQ-OPP-2011-0037
 - Tribal Certification Plan Outline
 - Fact sheet on options available to federally recognized tribes (Outline's Appendix A)
 - Proposed revisions to EPA Plan



EPA Regional Certification Contacts

- | | |
|---------------------------------|--------------------|
| 1 - Andrea Szylvian & Maya Babu | 6 - Eric Nystrom |
| 2 - Grace Hageman | 7 - Shawn Hackett |
| 3 - Courtenay Hoernemann | 8 - Kevin Martin |
| 4 - Richard Corbett | 9 - Katy Wilcoxon |
| 5 - Donald Baumgartner | 10 - Bethany Plewe |

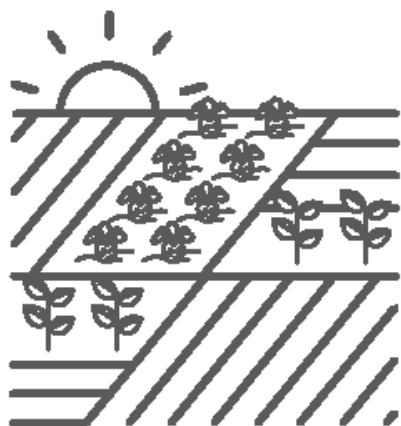


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