



Applicator Certification Updates

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SFIREG Meeting

December 10, 2024

Outline

- Certification of Pesticide Applicators (CPA)
 - Focus for 2025
 - Modification Guidance
 - Annual Reporting (CPARD)
 - Grant Program Updates
- Worker Protection Standard (WPS)
 - Focus for 2025
 - WPS Application Exclusion Zone Final Rule
 - Grant Program Updates

CPA Implementation - Focus for 2025

Certifying authorities implement plans

- Follow plans' implementation schedules
- Communicate **progress of** and **changes to** plans, and/or implementation schedules, to EPA Region's POC
- Submit Modification Requests, as needed
- Submit annual reporting (CPARD)
- FIFRA cooperative agreements

EPA role in a nutshell

- Support certifying authorities (e.g., technical assistance)
- Review plan modifications
- Receive and review annual reporting
- Track implementation progress
- Support development of tools/resources (e.g., fund grants)
- Implement EPA Plan in Indian country (e.g., issue federal certifications)

CPA [some] Specific EPA Tasks in 2025

- Issue Modification Guidance
 - Collect input
 - Get OMB approval of submission form
- Track Implementation
 - Incorporate plan activities into FIFRA cooperative agreements (e.g., Workplan negotiations)
 - Tracking of implementation
- Collect and Review Annual Reports (CPARD)
- Implement EPA Plan in Indian Country
 - Issue federal certifications, communicate changes,
 - Update related materials/training
- Engage/support states and tribes
 - Examples: SFIREG, AAPCO, AAPSE, TPPC

Next Steps for Modifications Guidance

- Finalize Modification Guidance
 - Based on the framework released in spring 2024
- Publicly release External Guidance (mid-Dec.)
 - Provide opportunities for certifying authorities for feedback
 - Post guidance on EPA Website along with email inbox
- Work through OMB to finalize submission form

Certification Plans Modification Guidance

- Based on regulation requirements*
 - Defines Substantial modifications
 - Sets timeframes for informing EPA of modifications
 - Broadly describes process for EPA's approval or rejection of modifications, and withdrawal of plan approval
- Includes interpretation - expands on modification definitions
- Outlines process for submitting modifications for EPA's review
- Outlines process for EPA review and determinations (i.e., approval/rejection of)

* See Appendix

Categories of Plan Changes

- Substantial Modifications:
 - As required and defined by §171.309(a)(3), must receive EPA approval prior to implementing.
- Notable Modifications:
 - Can be implemented prior to EPA approval, but must be reported to EPA for review within 90 days of becoming effective or when the Certifying Authority submits its annual certification plan data, whichever comes first.
- Incidental Changes
 - Specific changes that are minor and narrow in scope. These changes can be completed before EPA notification, and only need to be reported to the EPA when the Certifying Authority's annual certification plan data.

Examples of Modifications

Substantial Modifications	Notable Modifications	Incidental Changes
<ul style="list-style-type: none"> • Addition or deletion of a mechanism for certification and/or recertification* • Revision, addition, or deletion of certification categories* • Significant changes to legal authorities • Addition or deletion of Direct Supervision of Noncertified Applicators • Changes to the full implementation date 12 months or greater <p>* in regulation</p>	<ul style="list-style-type: none"> • Changes to personnel • Changes to statutory/regulatory language • Changes to plan text • Changes to certification expiration period • Changes to competency standards • Changes to existing Direct Supervision of Noncertified Applicator programs • Changes to exam administration • Changes to exam passing grade • Changes to recertification by CEUs process • Addition or deletion of Direct Supervision of noncertified applicators • Changes to reciprocity • Changes to full implementation date less than 12 months 	<ul style="list-style-type: none"> • Changes to grammar and punctuation • Changes to formatting • Changes to personnel titles • Changes to credential design • Addition or removal of reciprocity with a specific Certifying Authority

Modification Process Framework

- Notification Form
 - Currently we are working on creating a form to help track and categorize modifications.
- EPA Review
- Written Determination
 - Approval—Begin implementing according to the implementation schedule.
 - Rejection—Revert to most recently approved certification plan.

Annual Reporting - CPARD

- Certification Plan and Reporting Database (CPARD) (www.cpardpub.epa.gov)
- Annual reports due by January 31, 2025
- Starting in 2023, reporting captures:
 - Implementation of a few major changes in plans of interest to stakeholders (i.e., under the direct supervision, minimum age, legal authorities, and now reporting period, recertification period).
 - Approved plans published as pdfs on website.
- Plans and reported information accessible to public as “view only”.
- Questions?
 - Kasai.Jeanne@epa.gov and Burkhardt.stephanie@epa.gov

EPA Certification and Training Cooperative Agreements

- **HQ-managed assistance agreements**
 - Pesticide Safety Education Program Funding
 - Partially supported by PRIA set aside funds
 - Pesticide Educational Resources Collaborative (PERC)
 - Initiated under PRIA 4; no longer supported by PRIA set aside funds starting in FY25
 - Field Implementation Meeting Support
 - Agreement ended in summer 2024
- **Region-managed assistance agreements**
 - FIFRA cooperative agreements (STAG)
 - [Some] Multi-purpose Grants

WPS - Focus for 2025

- Develop/update Guidance
- Engage/outreach on WPS
 - WPS PIRT – May 12, 2025
 - SFIREG, AAPCO (e.g., AAPCO WPS Subcommittee)
 - AAPSE, PSEPs
 - NGOs, PRIA Coalition
 - Federal Advisory Committees (e.g., PPDC, NEJAC, CHPAC)
- Support development of tools/resources
 - Compete, fund and manage grants
- Address and collaborate on efforts that intersect or relate with WPS (e.g., bilingual labeling, certification plans)

WPS

Application Exclusion Zone

- Final Rule effective December 3, 2024
- Resources online:
 - Interim guidance
 - public submit comments opp_occupational_pesticide_safety@epa.gov
 - FAQs
 - Rules comparison table (2015 vs 2020 vs 2024)
- See EPA Website at:

[Worker Protection Standard Application Exclusion Zone | US EPA](#)

Pesticide Worker Safety Grants

- New programs currently being competed
 - Supported by PRIA 5 set aside funds
 - Notices of Funding Opportunities (NOFOs)
 1. **Farmworker Training and Education [on pesticide safety]**
 2. **Health Care Provider Training [on recognition and treatment of pesticide illnesses/injuries]**
 3. **Grant Technical Assistance [for #1 & 2 programs]**
- See EPA Website at [Pesticide Cooperative Agreements | US EPA](#)
 - Open competitions
 - Existing agreements
 - [National Farmworker Training Program](#) - Association of Farmworker Opportunity Programs
 - [PERC](#) - UC Davis in collaboration with Oregon State University

Thank you!

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Appendix

– slides presented in FY24 regarding Modifications to Certification Plans, as outlined in the CPA

1. Determining Compliance

- ***Before modifying*** an approved certification, the State, Tribe, or Federal agency must determine that the proposed modifications ***will not impair*** the certification plan's compliance with the requirements of this part or any other Federal laws or regulations.

2. Requirement for Agency Notification

- The State, Tribe, or Federal agency must notify the EPA of any plan modifications within **90 days** after the final State, Tribal, or Federal agency plan modifications ***become effective or when it submits its required annual report*** to the Agency, whichever occurs first.

3. Additional Requirements for Substantial Modifications to Approved Certification Plans

- ***Before*** making any substantial modifications to an approved certification plan, the State, Tribe or Federal agency ***must consult with the EPA and obtain approval*** of the proposed modification. Substantial modifications include the following:
 - (i) Addition or deletion of a mechanism for certification and/or recertification.
 - (ii) Establishment of a new private applicator category, private applicator subcategory, commercial applicator category, or commercial applicator subcategory.
 - (iii) Any other changes that the Agency has notified the State, Tribal or Federal agency that the Agency considers to be substantial modifications.

4. Agency Decision

- The Agency shall make written determination regarding the modified certification plan's compliance with the requirements of this part. The Agency shall give the certifying authority submitting a certification plan ***notice and opportunity for an informal hearing before rejecting the plan***. The Agency's approval may be subject to reasonable terms and conditions. If the Agency approves the modifications to a certification plan, that approval shall specify a schedule for implementation of the modified certification plan.