EPA Proposal to Revise the Certification of Pesticide Applicators Rule

Notes for VA-Certified Private Applicators

On August 5, 2015, EPA issued a proposal to revise the Certification of Pesticide Applicators rule. The proposed revisions have been published in the Federal Register, and are available online at www.regulations.gov, under docket ID # EPA-HQ-OPP-2011-0183. EPA is accepting comments on the proposal until January 22, 2016.

Most of the proposed federal-level changes do NOT affect VA-certified Private Applicators. However, here is a list of those that will, if the rule goes into effect “as is”:

- No certification for non-readers
- Minimum age for Private Applicators (and uncertified persons handling restricted-use pesticides under the direct supervision of a certified PA) = 18
- Additional Private Applicator Categories
  - Soil fumigation
  - Non-soil fumigation (ex. stored raw commodities)
  - Aerial application
- All certified applicators must recertify every 3 years…but some VA-certified private applicators will need to spend more time at recertification programs due to proposed contact time/credit requirements:
  - 50 minutes of active training time = one continuing education unit (CEU).
  - To recertify, private applicators must earn 6 CEUs dealing with general core content. In addition, those that hold one or more of the proposed added categories must earn 6 “core” + 3 category-specific CEUs on a 3-year cycle.
  [Alternatively, a person can retake and pass written exam(s).]
    - Currently, most VA-approved PAR courses provide at least 3.5 hours of instruction; many are approved for both VA PA categories: Food/Fiber (90) and Ornamental (91).
    - 6 Core CEUs = 5 hours of instruction in 3 years. This works out to 3.3 hours in 2 years…which is “on par” with what VA currently requires.
    - However, for example—growers who hold one of the proposed added categories must earn 6 Core + 3 category-specific CEUs; this entails 7.5 hours of instruction in 3 years, which works out to 5 hours every 2 years and must include category-specific instruction.
  - Applicators must earn at least half of the required CEUs in the 18 months preceding certificate expiration date.
  - Recertification program participants must present identification (government issued w/ picture).

As a result, VDACS Office of Pesticide Services may need to restructure PA categories, and modify course approval and training tracking procedures. Agencies and organizations that offer continuing education opportunities will see an increased demand for programs.

For additional information on the rulemaking:

For technical questions, contact Michelle Arling: arling.michelle@epa.gov / (703) 308-5891

As per EPA: constructive, usable comments address both what is problematic and why. Agency staff noted that one thoughtful comment with an explanation from an individual carries more weight than hundreds of “form” letters.