

2008 SUPPORTING STATEMENT

Recordkeeping Requirements for Certified Applicators of Federally Restricted Use Pesticides (7 CFR Part 110) OMB NO. 0581-0164

Terms of Clearance:

In accordance with 5 CFR 1320, OMB approves this collection for three years. Should any changes in state law satisfy the requirements under federal law, the agency should submit a change worksheet reflecting a reduction in burden. At the time of submitting the next extension package, the agency should investigate and report on the following: 1) the status of planned improvements to form ST-8, and 2) whether maintaining pesticide records for private applicators is part of “normal business operations.” If not, the agency should account for the financial cost of duplicating and maintain records.

The agency response is as follows:

- 1.) Should any changes in state law satisfy the requirements under federal law, the agency should submit a change worksheet reflecting a reduction in burden.

In FY 2007, Hawaii and Puerto Rico passed regulations that were comparable to Federal regulations. The Agricultural Marketing Service (AMS) did not submit a change worksheet at the time because it was close to the end of FY 2007 before final determinations were made that the regulations were comparable. In FY 2006, Colorado passed regulations that were comparable to Federal regulations but because Colorado was putting a completely new program in place it asked that AMS continue to inspect under the Federal regulations until it was prepared to take over the inspection process. For this reason AMS continued to conduct inspections and enforcement in the Colorado until FY 2008. Therefore the reduction of burden is being requested as part of three-year request for FY 2008-2011.

- 2.) The status of planned improvements to form ST-8.

The improvements were completed to the inspection form ST-8 in FY 2006 and the form has been in use for inspections since FY 2006. It has provided a much more accurate mechanism for recording the inspection data collected, which has improved the accuracy of data from the previous hand entry method before the scannable form was finalized.

- 3.) Whether maintaining pesticide records for private applicators is part of “normal business operations.” If not, the agency should account for the financial cost of duplicating and maintaining records.

AMS has determined that the majority of private applicators now keep some form of application records as part of “normal business operations.” The cost for maintaining records has been part of the justification since the beginning of the collection. The cost for the maintenance of the restricted use pesticide applications is explained in Question # 12, which indicates the total cost to be \$3,712,780 for the certified private applicators (307,151) who are required to maintain records of restricted use pesticides applications.

A. Justification.

1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.

The Food, Agriculture, Conservation, and Trade (FACT) Act of 1990 (Subtitle H, Sec. 1491), 7 USC 136i-1, mandates the Department of Agriculture, (USDA) in consultation with the Administrator of the Environmental Protection Agency (EPA), "shall require certified applicators of (federally) restricted use pesticides to maintain records comparable to records maintained by commercial applicators in each state." In addition, USDA and the Administrator of EPA are required under Section 1491(f) of the FACT Act to survey the records and develop and maintain a database so USDA and the Administrator of EPA can prepare and publish annual pesticide use reports, copies of which must be transmitted to Congress.

USDA has designated two agencies, AMS and the National Agricultural Statistics Service (NASS), to fulfill the mandates of the FACT Act (Subtitle H, Sec. 1491).

AMS is charged with administering the Federal Pesticide Recordkeeping Program. Through regulations (7 CFR Part 110) which became effective on May 10, 1993, and were amended on August 1, 1995, AMS requires certified private applicators of federally restricted use pesticides to maintain records of restricted use pesticide applications for a period of two years. Certified private applicators have no reporting requirements under 7 CFR Part 110, however, the applicators must maintain the records and make them available for inspection to authorized USDA representatives. AMS monitors compliance to the regulations through inspection of the applicator's restricted use pesticide records. It is estimated that on average a certified private applicator will make 15.8 (federally) restricted use pesticide applications per year.

Under regulations implementing the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), EPA approves state programs for certification of applicators and administers such certification programs in states or on Indian lands which do not have approved certification programs. A certified applicator may be a commercial or a private applicator. A certified private applicator is one who uses or supervises the use of any restricted use pesticide for purposes of producing any agricultural commodity: (1) on property that is owned or rented by the applicator, or the employer of the applicator or (2) if applied without compensation other than trading of personal services between producers of agricultural commodities on the property of another person. Most farmers are considered to fall into the "certified private applicator" category. A commercial applicator is one who uses or supervises the use of a restricted use pesticide for any purpose or on any property other than as provided under the definition of a private applicator. Currently, under rules promulgated by EPA or the states, commercial applicators are required to keep records of restricted use pesticide applications. Section 11 of FIFRA explicitly prohibits EPA from requiring, through regulations, private applicators to maintain records. Until the passage of the 1990 FACT Act, there were no Federal requirements for certified private applicators to maintain pesticide application records.

AMS has the responsibility to regulate and inspect private certified applicator restricted use

pesticide application records. Record inspection is accomplished by utilizing state employees through signed cooperative agreements with the designated state agency or Federal employees for the Pesticide Recordkeeping Program. Out of the 307,151 certified private applicators required to maintain records, 3,600 are selected randomly to have records inspected on an annual basis.

2. INDICATE HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED. EXCEPT FOR A NEW COLLECTION, INDICATE THE ACTUAL USE THE AGENCY HAS MADE OF THE INFORMATION RECEIVED FROM THE CURRENT COLLECTION.

By requiring all certified private applicators to maintain records, data on the nationwide use of agricultural and non-agricultural restricted use pesticides can be made available to Federal and state policy makers and the public.

It is estimated, that there are approximately 613,205 certified private applicators nationally. (Reference “2006 National Certified Applicator Data” U.S. Environmental Protection Agency). The AMS program recognizes state/territorial regulations that are as stringent as the Federal recordkeeping requirements in 24 states/territories. This accounts for 306,054 (state/territorial) applicators who maintain restricted use pesticide records under state/territorial regulations. Therefore 307,151 certified applicators maintain records under the Federal regulations.

In order to assess the accuracy of the records being kept and the amount of compliance to the regulations, AMS, in cooperation with NASS, has developed a sampling plan which calls for randomly inspecting approximately 3,600 private applicators per year. The applicators selected for inspection come from the total number of applicators under Federal regulations. AMS accomplishes the yearly inspections by utilizing state pesticide regulatory agencies through cooperative agreements which utilizes state inspectors to inspect records and complete the ST-8 form to monitor the compliance status among certified private applicators. States that are unable or not willing to enter into cooperative agreements with AMS are inspected utilizing Federal staff that is funded through inter-agency agreements. The Grain Inspection, Packers and Stockyards Administration (GIPSA) and Animal and Plant Health Inspection Service (APHIS) field staffs are currently utilized to cover three states which are under the Federal regulations.

In the previous 2005 submission the program utilized an inspection form translated into Spanish (ST8-1-1). This form was used in Puerto Rico to make it easier for the inspectors and certified applicators that were inspected to complete an inspection. Puerto Rico has since passed regulations for restricted use pesticide recordkeeping that are comparable to the Federal regulations, so the program no longer inspects in Puerto Rico. This was the only need for the ST8-1-1 form, so the program has discontinued the use of this form.

AMS reviews the data collected on the compliance levels of applicators by state and can shift educational programs and increase the number of outreach materials to those states with a higher number of non-compliant applicators. By targeting areas of non-compliance funding for educational outreach is more efficient.

AMS also has the responsibility to assure records are kept to provide information which can be utilized by licensed health care professionals for medical treatment. The ability to provide information to a licensed health care professional on an application of a restricted use pesticide, is a major benefit for providing proper medical treatment to an individual.

The statute also requires USDA to submit annual reports to Congress pertaining to the use of restricted use pesticides in agricultural production. NASS has the responsibility to generate the report to Congress. NASS refers to these records when collecting restricted use data during normal survey work. EPA and other organizations use the data to support the decision-making processes concerning pesticides.

3. DESCRIBE WHETHER, AND TO WHAT EXTENT, THE COLLECTION OF INFORMATION INVOLVES THE USE OF AUTOMATED, ELECTRONIC, MECHANICAL, OR OTHER TECHNOLOGICAL COLLECTION TECHNIQUES OR OTHER FORMS OF INFORMATION TECHNOLOGY, E.G. PERMITTING ELECTRONIC SUBMISSION OF RESPONSES, AND THE BASIS FOR THE DECISION FOR ADOPTING THIS MEANS OF COLLECTION. ALSO DESCRIBE ANY CONSIDERATION OF USING INFORMATION TECHNOLOGY TO REDUCE BURDEN.

The ST-8 form is not available in an electronic transmission format because it is currently in a three-carbon pack format, with each copy going to different entities. The form is not used by the recordkeeper (certified applicator) for purposes of maintaining records, but by the inspector who does a face-to-face compliance inspection with the recordkeeper (certified applicator). Upon completion of the inspection, one copy of the ST-8 is provided to the certified applicator by the inspector. The inspector maintains a copy of the form to verify information against notes taken and the third copy is sent to the AMS program. Due to precise margins and lines needed for the scanning software to deliver the data to the program's database, the ST-8 form must be printed by a commercial printer. The program switched to a scannable paper form in FY 2006 in order to simplify data entry and improve accuracy.

AMS provided funds to North Carolina Department of Agriculture and Consumer Services (NCDA) in FY07 to test an electronic version of the ST-8 which could be loaded directly into a laptop computer and then downloaded into a database. This would allow state cooperators to electronically submit the data which then could be uploaded into the program's database. The form is being pilot tested in FY08 by NCDA. Funding for equipment such as laptop computers will be the limiting factor for state cooperators to utilize electronic transmission of data in the future.

AMS has looked closely at how information technology could be used to reduce the burden on the recordkeepers (certified applicators). AMS does not mandate a specific form be utilized for keeping pesticide record application information, because many applicators have integrated recordkeeping systems that combine both production and business records. Mandating a specific type of format could result in a bigger burden on the recordkeepers, therefore AMS does provide examples of forms which could be used to record all the information needed by the

recordkeepers for the purpose of compliance with the regulations. These examples are available on the program's website for download. In addition, many other state websites have added examples of a recordkeeping form. The following are examples of websites that provide example recordkeeping formats in addition to AMS'.

<http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateN&navID=PRPMainPageNav2Link4&rightNav1=PRPMainPageNav2Link4&topNav=&leftNav=ScienceandLaboratories&page=PRPForms&resultType=Detail&acct=pestcdreckpprg>

<http://www.agri.state.id.us/Categories/Pesticides/Documents/other/frmRestricted%20Use%20Pesticide%20Reg.pdf>

<http://ag.utah.gov/plantind/PesticideApplicationRecord.pdf>

<http://www.extension.umn.edu/distribution/cropsystems/DC0915.html>

The AMS is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes. AMS is making every effort to eventually make the ST-8 available electronically through the website.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.

In the past year Hawaii and Puerto Rico amended regulations to require certified private applicators to maintain records comparable to the Federal regulations. This brings the total number of states/territories to 24 that have federally recognized regulations. AMS has approved these state /territorial programs in order to minimize duplication of recordkeeping requirements. The Federal program provides support and funding to states with approved state regulations to inspect and enforce the recordkeeping requirements under state laws. This has eliminated duplicate work for the recordkeepers and also provides a uniform set of restricted use pesticide application record data nationally.

Certified commercial pesticide applicators (applicators that charge for application service) are required to maintain records of restricted use pesticide applications under state or EPA regulations. The FACT Act, however, requires commercial applicators to provide their clients with a copy of a restricted use application record within 30 days. In order to avoid duplicate sets of records being made by a commercial applicator, the regulations allows the commercial applicators to provide clients with copies of records currently maintained under a state or the Federal EPA program, or a copy of the data required in the AMS regulations.

5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 5 OF THE OMB FORM 83-1), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.

Using the definition “*a small business is one with fewer than 500 employees*” AMS estimates that 100% of these applicators would meet the definition of a small business. Through face to face inspections the actual inspection or collection of pesticide record data is the minimal information necessary, normally completed within 30 minutes without imposing excessive burden on small businesses. The approximately 1%, 3,600 applicators, to be inspected yearly are selected from the total number of 307,151 certified private applicators. Due to these applicators being selected for an inspection they are assigned an additional burden for the time it takes to conduct an inspection. To minimize the burden on those who are inspected an appointment is usually arranged at a convenient time for the applicator (reference AMS-71). In addition, AMS recognizes existing state programs which monitor or inspect restricted use pesticide records, thus avoiding duplicate recordkeeping and inspections by state and Federal officials.

The program does not collect record application information from commercial pesticide applicators, which numbers 281,428 in FY 2006. EPA has the authority under FIFRA to collect this information. However the AMS’ Federal regulations do require the commercial applicators to make duplicates of the application record information maintained under FIFRA and provide a copy to the private certified applicator that requested the application of pesticide. Therefore AMS does provide burden hours for the duplication of application records by commercial applicators under this collection request (see question 12).

6. DESCRIBE THE CONSEQUENCE TO FEDERAL PROGRAM OR POLICY ACTIVITIES IF THE COLLECTION IS NOT CONDUCTED OR IS CONDUCTED LESS FREQUENTLY, AS WELL AS ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN.

The rule implements those provisions of the FACT Act which require all certified applicators to maintain records of applications of federally restricted use pesticides. The records are needed to maintain a database for agronomic and environmental surveys by state and Federal agencies and for annual reporting to Congress by the USDA and the EPA on the use of agricultural and nonagricultural federally restricted use pesticides.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT WOULD CAUSE AN INFORMATION COLLECTION TO BE CONDUCTED IN A MANNER:

- **REQUIRING RESPONDENTS TO REPORT INFORMATION TO THE AGENCY MORE OFTEN THAN QUARTERLY;**
- **REQUIRING RESPONDENTS TO PREPARE A WRITTEN RESPONSE TO A COLLECTION OF**

INFORMATION IN FEWER THAN 30 DAYS AFTER RECEIPT OF IT;

- **REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;**
- **REQUIRING RESPONDENTS TO RETAIN RECORDS, OTHER THAN HEALTH, MEDICAL, GOVERNMENT CONTRACT, GRANT-IN-AID, OR TAX RECORDS FOR MORE THAN 3 YEARS;**
- **IN CONNECTION WITH A STATISTICAL SURVEY, THAT IS NOT DESIGNED TO PRODUCE VALID AND RELIABLE RESULTS THAT CAN BE GENERALIZED TO THE UNIVERSE OF STUDY;**
- **REQUIRING THE USE OF A STATISTICAL DATA CLASSIFICATION THAT HAS NOT BEEN REVIEWED AND APPROVED BY OMB;**
- **THAT INCLUDES A PLEDGE OF CONFIDENTIALITY THAT IS NOT SUPPORTED BY AUTHORITY ESTABLISHED IN STATUE OR REGULATION, THAT IS NOT SUPPORTED BY DISCLOSURE AND DATA SECURITY POLICIES THAT ARE CONSISTENT WITH THE PLEDGE, OR WHICH UNNECESSARILY IMPEDES SHARING OF DATA WITH OTHER AGENCIES FOR COMPATIBLE CONFIDENTIAL USE; OR**
- **REQUIRING RESPONDENTS TO SUBMIT PROPRIETARY TRADE SECRET, OR OTHER CONFIDENTIAL INFORMATION UNLESS THE AGENCY CAN DEMONSTRATE THAT IT HAS INSTITUTED PROCEDURES TO PROTECT THE INFORMATION'S CONFIDENTIALITY TO THE EXTENT PERMITTED BY LAW.**

There are no special circumstances that would cause an information collection to be conducted as described in item 7.

8. **IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE, REQUIRED BY 5 CFR 1320.8(d)**

No response was received on the Federal Register notice published December 14, 2007 in Volume 72, Number 240, pages 71112-13.

AMS has consulted with USDA's Office of General Counsel (OGC) on the program's administration and recordkeeping requirements. In addition contacts were made with USDA agencies GIPSA and APHIS that cooperate in the program.

Individual contacts within collaborating agencies are:

Rick Herndon, USDA/OGC
Washington, DC
Phone: 202-720-2003

Steve Fuller
USDA/APHIS
Prattville, AL
Phone: 334-358-9426

Diana Palecek
USDA/GIPSA
Kansas City, MO 64133
Phone: 816-823-4643

In addition, AMS contacted several State Departments of Agriculture regarding the ST-8 inspection form ease of use and suggestions for improvement of the form and management of the program as it interfaces with state cooperators.

Individuals contacted:

Dave Pyne
Delaware Department of Agriculture
Dover, DE 19901
Phone: 302-698-4570

Lisa Gautreaux
Louisiana Department of Agriculture and Forestry
Baton Rouge, LA 70806
Phone: 225-925-3960

Dwight Seal
North Carolina Department of Agriculture and Consumer Services
Raleigh, NC 28607
Phone: 919-733-3556

- 9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEEES.**

No payments or gifts are provided to respondents.

- 10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.**

As required by the FACT Act of 1990, the regulations protect the identity of the certified private applicator by Government representatives accessing their records. An exception to this provision, however, would be allowed only for licensed health care professionals who need the information to give medical treatment to an individual who may have been exposed to restricted use pesticides.

- 11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDES, RELIGIOUS BELIEFS, AND OTHER MATTERS THAT ARE COMMONLY CONSIDERED PRIVATE.**

There are no sensitive questions, as the information requested is self-generated by the certified applicator, and relates only to those data elements which must be kept as a record of the application of restricted use pesticides.

- 12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION.**

THE STATEMENT SHOULD:

- INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCE IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED HOUR BURDEN, AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR CUSTOMARY AND USUAL BUSINESS PRACTICES.

- **PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES.**

AMS estimates the total annualized cost to the recordkeepers to be \$3,712,780.

RECORDKEEPING

307,151 recordkeepers (private applicators);	402.368 burden hrs@ \$9.20 / hour =	\$3,701,786
3,600 recordkeepers (private applicators) inspected	1,195 burden hrs @ \$9.20/hour =	10,994
	Total =	\$3,712,780

This total for burden hours was derived by the use of the following calculations:

Burden hours per applicator maintaining records was calculated with each applicator applying an average of 15.8 applications/year. Each application would require 5 minutes to record or .0083/hr. therefore, 15.8 applications x .0083 hrs = 1.31 burden hours x 307,151 recordkeepers = 402,368 burden hours. In addition 3,600 applicators who are inspected yearly @ 20 minutes/inspection = 1,195 burden hours. This is calculated using 3,600 x .332/hr. = 1,195. The total burden hours for certified private applicators is 402,368 + 1,195 hours = 403,563 burden hours.

The cost of \$9.20/hour was taken from website: www.bls.gov/oes/current/oes_nat.htm#b45-0000
The \$9.20 /hour was derived by using the mean hourly wage for crop (\$8.48) and livestock (\$9.92) workers and then averaging them together.

DUPLICATION

281,428 (commercial applicators) @\$ 61.60 yearly (\$0.10/copy X 616 copies) =
\$17,335,965

Total: = \$21,048,745

Therefore, the average cost to the commercial applicators (respondents) and the private applicators (recordkeepers) on a yearly basis, would be \$ 21,048,745.

IF THIS REQUEST FOR APPROVAL COVERS MORE THAN ONE FORM, PROVIDE SEPARATE HOUR BURDEN ESTIMATES FOR EACH FORM AND AGGREGATE THE HOUR BURDENS IN ITEM 13 OF OMB FORM 83-I.

Only one form is utilized.

13. PROVIDE AN ESTIMATE OF TOTAL CAPITAL AND START-UP COSTS AND TOTAL OPERATION AND MAINTENANCE COSTS.

There are no capital/start up or operation and maintenance costs.

14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT.

It cost the Federal Government \$2.625 million to administer the Federal Pesticide Recordkeeping Program. The annual appropriated budget for the program is distributed as:

Salary and Benefits	\$ 988,259
Travel	34,655
Transportation of Things	6,071
Rent, Communication, Postage	116,986
Printing and Reproduction	20,736
Contractual Services	37,418
Cooperative Agreements	1,392,083
Supplies	11,668
Equipment	10,000
Training	<u>4,823</u>
Total	\$ 2,625,000

The program continues to distribute a major part of its budget, approximately \$1.392 million to state cooperators to provide educational outreach and conduct compliance inspections.

15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-1.

Explanations:

7 CFR 110.3(a) - Current figures obtained from EPA have shown a drop in the number of total certified private applicators since the last filing in FY 2005 by approximately 65,500 applicators. Although the number of applicators has decreased the inspection data collected in the past 2 years shows a significant increase in the number of applications per applicator from 5 to 16 applications on an average per year. This increase is attributed to increased accuracy of data collected due to the implementation of a scannable inspection form used by the State/Federal inspectors. The new form has eliminated hand entry of data that was difficult to check for quality assurance. In addition restricted use pesticide applications have most likely increased due to some severe weather conditions and outbreaks of several new insect pests in the past 2 to 3 years.

The average amount of time to make a record remains at 5 minutes, but the increase in the number of applications has resulted in an increase in burden hours for certified private applicators.

110.3(d) – Data provided by EPA on the total number of commercial applicators shows a decrease in the number of applicators since the last submittal. The current number of commercial applicators has decreased by 1,377; therefore the overall burden has decreased.

110.4 – Due to the decrease in the total number of inspections conducted by inspectors (a decrease of 1,000 inspections) and also the ability of inspectors to reduce the amount of time it takes to do an inspection there is an expected decrease in the total recordkeepers hours for inspections.

110.6(b) – The amount of time spent by the state administrative staff is expected to remain the same, however the number of states to participate in the program is expected to decrease.

110.6(b) - The number of state cooperative agreements is expected to decrease, thus decreasing the total burden.

<u>REG. NO.</u>	<u>REASON</u>	<u>PREVIOUS BURDEN</u>	<u>NEW BURDEN</u>	<u>DIFFERENCE</u>	<u>TYPE OF CHANGE</u>
7 CFR					
110.3(a)	AMS	154,660	402,368	+247,708	A
110.3(d)	EPA	1,393,663	1,386,877	-6,786	A
110.4	AMS	3,910	1,195	-2,715	A
110.6(b)	State	1,020	810	-210	A
110.6(b)	State	7,956	6,464	-1,492	A
			Total =	+236,505	

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16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED, OUTLINE PLANS FOR TABULATION, AND PUBLICATION.

No publication of data obtained through the inspection of records is planned. Under the AMS program, state audits and reviews will be done to oversee the cooperative agreements signed between AMS and the state pesticide regulatory agency.

17. IF SEEKING APPROVAL TO NOT DISPLAY THE EXPIRATION DATE FOR OMB APPROVAL OF THE INFORMATION COLLECTION, EXPLAIN THE REASONS THAT DISPLAY WOULD BE INAPPROPRIATE.

Forms are ordered in large quantities to reduce the cost of printing. If forms were to be discarded because of an outdated OMB expiration date, but otherwise usable the Federal government would incur a higher cost. Only state cooperators generally use the forms and it would put an increased burden on the states to require them to monitor the expiration dates on

forms and destroy forms with expired dates. Therefore, we are seeking approval to not display the OMB expiration date on these forms.

18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, "CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS," OF OMB FORM 83-1.

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-1.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are used with this collection.