

2011 SUPPORTING STATEMENT

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

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) 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 data base 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, the Agricultural Marketing Service (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 an average a certified private applicator will make 16 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.

A Memorandum of Understanding (MOU) recognizing EPA's authority under FIFRA to regulate commercial certified applicator records of restricted use pesticide applications has been signed between USDA and EPA.

AMS has the responsibility to regulate and inspect private certified applicator restricted use pesticide application records. The inspecting of records is accomplished by utilizing state employees through signed cooperative agreements with the designated state agency or Federal employees for the Federal Pesticide Recordkeeping Program. Approximately 3,591 certified private applicator's records 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 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, through utilizing EPA data, that there are approximately 502,771 certified private applicators nationally. The AMS program recognizes state and territorial regulations that are as stringent as the Federal recordkeeping requirements in 23 states and Puerto Rico. This accounts for 210,520 applicators who maintain restricted use pesticide records under state or territorial regulations. Therefore in the remaining 27 states the number of certified applicators who maintain records under the Federal program regulations is 292,251.

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 3,591 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 two states which are under the Federal regulations.

AMS has placed a strong emphasis on educational outreach for the applicators affected by the Federal regulations. In order to assess the accuracy of the records being kept and the amount of compliance to the regulations, AMS has developed a sampling plan which calls for approximately 3,591 private applicator records to be selected from private applicator lists maintained by the states under the Federal regulations.

AMS has established cooperative agreements with state pesticide regulatory agencies to inspect certified private applicator records. Through these agreements, AMS utilizes state inspectors to inspect records and complete the ST-8 form (see attached) to assess the recordkeeping status among private applicators. The sampling strategy requires states with 9,000 or more private applicators to randomly select 150 private applicators for inspection. For states with fewer than 9,000 private applicators, the sample size is reduced depending on the actual number of applicators listed in the state. Given the current funding level for the program, no more than 34 states per year are selected for inspection of private applicator records. Of the 34 states that conduct inspections, 27 of those States conduct inspections of certified private applicator recordkeeping under the Federal regulations and 7 states under state statutes which have been recognized by AMS.

In order to properly administer the pesticide recordkeeping program, AMS needs to monitor and determine to what extent private applicators are complying with the program's requirements and identify the reasons for non-compliance. Monitoring records and interviewing private applicators provides valuable information to AMS which is utilized to direct future educational programs and staff resources. In order for states

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

In addition, the statute 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. The recordkeeping provision was established to provide restricted use pesticide data to support the decision making processes concerning pesticides with accurate use data.

The data elements for each record include the following:

- a. The brand or product name and the EPA registration number of the federally restricted use pesticide that was applied.
- b. The total amount of the federally restricted use pesticide applied.
- c. The location, the size of the area treated, and the crop, commodity, stored product or site to which a restricted use pesticide was applied.

- d. The month, day, and year on which the restricted use pesticide application occurred.
 - e. The name and certification number (if applicable) of the certified applicator who applied or who supervised the application of the restricted use pesticide.
- 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 program currently offers all state cooperators the ability to post the ST-8 form electronically to a program Website or transmit the forms by electronic mail. Both a PDF format and electronic software packages are available to be used by state staff which allows data entry and submission over the internet. The software version of the ST-8 form can be transmitted electronically from the Internet. Use of the electronic transmission of recordkeeping inspection data will depend on each state cooperator's ability to provide the necessary hardware to field inspectors for use in the field. The program completed converting the ST-8 form into a scannable form and a majority of inspection forms are now received and scanned into the program database for future retrieval. Both hardcopies and electronic copies of the ST-8 form can be scanned using the new system. The system has been fully operational since FY 2006.

The program has looked closely at how information technology could be used to reduce the burden on the recordkeepers. Certified private applicators are not required to use a specific form to maintain their records. Many free electronic forms are available from the Internet, which provides the applicator with a choice of how to maintain their records without an additional required form. AMS also has recordkeeping forms available that can be easily downloaded from the program's website. The program is exploring technology that will allow pesticide applicators to submit records on a voluntary basis directly to the program. A pilot program is being developed that will provide pesticide applicators with an online web-based system to maintain their application records. An example of a form applicators can use to keep records is 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 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=pestdreckpprg>

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

<http://ipm.ncsu.edu/pesticidesafety/rkformprivateapplicators.pdf>

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

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.

Currently 23 states and Puerto Rico have requirements for certified private applicator recordkeeping of restricted use pesticides. In order to minimize duplication of recordkeeping requirements, AMS has evaluated these state and territorial programs for comparability to the Federal requirements. In those programs deemed comparable to the Federal requirements, the certified private applicators will continue to maintain only state or territorial required records, thus eliminating duplicate records. All other states and Puerto Rico with recordkeeping requirements for restricted use pesticides are comparable to the Federal regulations so certified private applicators will continue to maintain only state or territorial records. The remaining 27 states follow the Federal requirements. This policy of allowing the 23 states and Puerto Rico certified private applicators only maintain state or territorial records has avoided an additional burden on applicators by not requiring duplicate records.

Certified commercial applicators 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 provide the commercial applicators with the flexibility to provide clients with copies of records currently maintained under a state, territory 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.

The pesticide data elements required to be recorded can be completed in a short period of time (.083 hours/record) with limited paperwork or recording time required of the certified private applicator. A standard Federal form is not required, which allows the applicator to utilize existing record systems, such as computer maintained records, and eliminates duplicate record demands. Federal recordkeeping manuals, recordkeeping forms, and data disks have been distributed free of charge to pesticide applicators who wish to use these tools.

According to the USDA, Economic Resource Service (ERS) 91% of all U.S. farms are classified as small with gross cash farm income (GCFI) of less than \$250,000 and 60% are very small generating GCFI of less than \$10,000. Therefore, a majority of the private applicators selected

by AMS would fall into the category of a small farm or business. This information was obtained from the following ERS report: <http://www.ers.usda.gov/Publications/EIB63/EIB63.pdf>. The AMS program provides support and assistance to small farms through educational outreach, compliance assistance, and availability of program staff by telephone, e-mail and written correspondence.

AMS recognizes existing state programs which monitor or inspect restricted use pesticide records, thus avoiding duplicate record inspections by state and Federal officials; and lessening the burden on private applicators and small farms.

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 data base 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)

The 60-day Federal Register Notice was published on pages 25663-25664 in Volume 76, number 87 on Thursday, May 5, 2011. No comments were received.

AMS consults with USDA's Office of General Counsel (OGC) on the program's administration and recordkeeping requirements. The OGC contact for the program is Rick Herndon available at (202) 720-2003. Other program contacts are:

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

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 producers by Government representatives accessing their records. An exception to this provision is allowed 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 \$3,652,268.

RECORDKEEPING

292,251 recordkeepers (private applicators);	<u>388,694 burden hrs</u> @ \$9.51 / hour	= \$3,696,480
3,591 recordkeepers inspected;	<u>1,196 burden hrs</u> @ \$9.51/hour	= \$ 11,374
		Total = \$3,707,854

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

Burden hours per private applicator maintaining records were calculated with each applicator applying an average of 16 applications per year. Each application would require 5 minutes to record or .0083/hr. therefore, 16 applications x .0083 hrs = 1.33 burden hours x 292,251 recordkeepers = 388,694 burden hours. In addition 3,591 applicators who are inspected yearly @ 20 minutes/inspection = 1,196 burden hours. This is calculated using 3,591 x .333/hr. = 1,196.

The total for private applicators is 388,694 + 1,196 = **389,890 burden hours**.

The hourly wage of \$9.51 per hours was obtained from the U.S. Bureau of Labor Statistics at the following Website: <http://www.bls.gov/oes/current/oes452092.htm>. The hourly wage was

derived from the National Mean Hourly wage estimates for Farmworkers and Laborers published on May 2009.

STATE COOPERATORS

Each of the 27 state cooperators must implement a cooperative agreement with the program. The burden is calculated as 27 state cooperators X 1 responses X 30 average hours per response = 810 burden hours for processing the cooperative agreement.

Inspectors conduct an average of 133 applicators per state cooperator. The inspector's time to inspect is calculated by 27 state cooperators X 133 average responses per state agency X 1.8 hours per response = 6,464 burden hours.

The total for all state cooperators is $810 + 6,464 = \underline{7,274 \text{ burden hours}}$.

DUPLICATION

The regulations require commercial applicators to provide a duplicate copy of the record of application, currently required by state or Federal regulations, to their clients. There are approximately 207,162 commercial applicators affected by the regulations, which apply restricted use pesticides for hire. The cost to make a pesticide record copy is \$0.10 per copy with each applicator duplicating approximately 616 copies per year, thus the total cost per commercial applicator would be \$61.60 per year. The 616 records are estimated from the best possible source available from State and Federal cooperators. The approximate cost to commercial applicators would be $207,162 \times \$61.60$ to equal \$12,761,179.

The approximate cost to commercial applicators	= \$12,761,179
The approximate cost to private applicators	= <u>\$ 3,652,256</u>
	\$16,413,435

Therefore, the average cost to the commercial applicators (respondents) and the private applicators (recordkeepers) on a yearly basis, $\$12,761,179 + \$3,652,256$ would be \$16,413,435.

The total burden hours for commercial applicators is calculated by $207,162 \text{ commercial applicators} \times 616 \text{ average applications per year} = 127,611,792 \times 0.0080 \text{ hours to make a record for each application}$, which = **1,020,894 burden hours**.

The approximate burden hours to commercial applicators	= 1,020,894
The approximate burden hours to private applicators	= 389,890
The approximate burden hours for cooperators to inspect	= 7,274
The total burden hours for commercial and private applicators	= <u>1,418,058 burden hours</u> .

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

There is no capital/start up or operational and maintenance costs.

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

It cost the Federal Government \$2,543,000 for FY 2011 to administer the Federal Pesticide Recordkeeping Program. The annual appropriated budget is distributed as follows:

Salaries	\$ 642,954
Benefits	187,493
Travel	20,086
Transportation of Things	5,667
Rent and Communications	106,194
Postage	4,000
Printing and Outreach Materials	64,832
Contractual Services	36,770
Cooperative Agreements with States	1,450,985
Training	7,000
Supplies	7,019
Equipment	<u>10,000</u>
Total	\$ 2,543,000

The program distributes approximately \$1.559 million (66%) to state cooperators to provide educational outreach, training, and conduct compliance inspections. This funding is also used to provide education outreach materials and training directly to recordkeepers with a focus on minority and small farmers.

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

The number of private and commercial applicators affected by the Federal regulations has not changed by an appreciable amount since the last paperwork reduction act submission on February 27, 2008. The number of private applicators under the Federal regulations changed from 307,151 to 292,251 applicators. The number of commercial applicators under the Federal regulations changed from 281,428 to 207,162 applicators.

The reduction in burden hours comes from the smaller number of private and commercial pesticide applicator certifications nation-wide. The reduction in theses certifications is due to an increased emphasis by the Cooperative Extension Service to ensure that applicators applying for certification are involved with agricultural production. Many States now offer separate certifications to homeowners and master gardeners that are not in agricultural production, therefore it reduces the number of agricultural certified private applicators. In addition, there has been an increase in the availability of effective general use pesticides that can be purchased without a private applicator certification; so many agricultural producers are not renewing their certifications.

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.

The Federal Pesticide Recordkeeping Program orders forms well in advance, so forms are mailed to state cooperators in a timely manner. These forms are ordered in large quantities to reduce the cost and provide state cooperators with several years supply of forms. If the Pesticide Records Staff needs to order more forms prior to an OMB submission for extension of approval, there is no guarantee that a requested expiration date will be used by OMB. Because the forms are distributed nationally to supply state cooperators for a period of several years, 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.