

# **Request for a Non-Substantive Change to an Existing Approved Information Collection**

(EPA ICR No. 0155.11; OMB Control No. 2070-0012)

## **I. Introduction**

### ***Why is EPA Requesting a Non-Substantive Change?***

EPA is requesting a non-substantive change in order to implement minor revisions to the *instructions* for EPA Form 7100-01 (Request for Pesticide Applicator Certification in Indian Country). EPA is not otherwise modifying the information collection requirements or agency paperwork burden estimates.

## **II. Description of Non-Substantive Changes**

### ***What Information Collection Request (ICR) is EPA changing?***

**ICR Title:** Certification of Pesticide Applicators (Renewal)

**ICR Numbers:** EPA ICR No. 0155.10; [OMB Control No. 2070-0029](#)

### ***What is the current status of this ICR?***

This ICR is currently approved through February 28, 2015.

### ***What are the changes that EPA is making to this collection of information?***

EPA is making two minor revisions to the instructions for EPA form 7100-01. First, EPA is revising the instructions regarding form item #4 (certification type) to clarify what applicators should do if their contact information changes or is otherwise incorrect. This will reduce confusion for the applicators when this type of situation arises.

Second, EPA is revising the instructions for form item #6(b) in order to address concerns over the number of training hours that private applicators need to complete in light of the fact that some applicators may not be located near training facilities.

To address the concern about proximity to training location, EPA will develop an online training, which would be easier to access. It will include the requirements described at 40 CFR 171.5 and 171.6 (e.g., proper storage, use, handling and disposal of the pesticides and containers; knowledge of Federal supervisory requirements, including labeling.) The on-line training will also allow EPA to assure the content of the course.

Until the online training is available, EPA will permit private applicators wishing to pursue the method of certification identified in form item #6(b) must document that they have completed state or EPA approved training covering the specific list of topic areas listed in 40 CFR 171.5 and 171.6. The requirement is based on content covered in the course rather than number of hours. Instead of 40 hours of training, it is expected that this training would take 8 to 16 hours to

complete. This is an administrative change geared toward granting relief to private applicators, and was developed in conjunction with state and tribal governments.

The original 40-hour training estimate was intended to ensure that applicators received all of the training required under 40 CFR 171.5 and 40 CFR 171.6, and assumed that applicators would have to take multiple courses to obtain all of the required training. EPA expected that 40 hours of training of appropriate courses would allow applicators to cover all of the material. The interim option focuses on the content that must be covered in the course and states the expectation that training will take *at least* eight to 16 hours. It is possible that an applicator using the interim option could complete training in eight hours or could complete it in 40, depending on the available courses. This option ensures that the applicator receives adequate training while minimizing the impact associated with it.

***Will EPA grant full certifications based on the interim training "option"?***

Yes, EPA would still grant full certifications based on the interim training option. It is not a “reduced” training option; rather, it will cover the same material as the online training, but may be achieved through different means. Until the online training is available, applicators can submit documentation that they have completed training that covers the general standards of competency outlined in 40 CFR 171.5 and 40 CFR 171.6. The training may be from state- or EPA-approved courses.

All courses used for this certification must be state-approved from states that have EPA Administrator-approved certification plans, or otherwise approved by the Administrator. The goal of this training is to ensure all private applicators are highly competent, but we believe our interim and final approaches offer a pragmatic solution given statutory restrictions. Without the interim option, EPA may not be able to implement the federal certification plan as required in the regulations until we have completed development of the online.

***Did EPA consult with stakeholders about this approach?***

Multiple options for certifying private applicators were discussed during national tribal consultations in November and December 2010. The options were also discussed in numerous other venues, including meetings of Regional Tribal Operations Committees and the Tribal Pesticide Program Council.

***Will this change impact the annual ICR burden estimate?***

No. The current ICR annual burden will not change. This training, unless it addresses compliance with a reporting, recordkeeping, and/or third-party notification activity, is not considered “information” under the PRA. This pesticide training requirements address worker practices, not information collection.

***What is the expected non-paperwork impact of this change ?***

Private applicators certified through this training method must be recertified every four years. This is unchanged for the status quo. Given the recertification period, the relief offered by this change likely will be spread over time, as we do not anticipate all potential private applicators to seek certification at the same time. Not all private applicators will have to take additional training to be certified in Indian country. Some private applicators may wish to be certified in

Indian country based on their existing state or tribal certifications, and thus do not require additional training.

The estimated number in Indian country nationwide is 1,250 persons. If all of private applicators seek certification based on 40 hours of training and not an existing certificate, the total amount of training time would be 50,000 hours. If each of these applicators instead obtained a certification based on a maximum of 16 hours of training, the potential total training time would only be 20,000 hours. So, potentially, this approach could reduce the total training time by 30,000 hours. However, many private applicators will be certified based on underlying certification from a contiguous state or tribe, so a potential 30,000 hour reduction of total training time should be considered an overestimate.