

**SUPPORTING STATEMENT FOR  
AN INFORMATION COLLECTION REQUEST (ICR)**

**1. IDENTIFICATION OF THE INFORMATION COLLECTION**

**1(a) Title of the Information Collection:**

Certification of Pesticide Applicators (Renewal), EPA ICR Number 0155.12, OMB Control Number 2070-0029.

**1(b) Short Characterization/Abstract**

The Environmental Protection Agency (EPA) administers certification programs for pesticide applicators under section 11 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). FIFRA allows EPA to classify a pesticide as “restricted use” if the pesticide meets certain toxicity or risk criteria. This information collection request (ICR) addresses the paperwork activities performed by businesses, individuals and regulators to comply with training and certification requirements associated with restricted use pesticides (RUPs). Because of the potential of improperly applied RUPs to harm human health or the environment, pesticides under this classification may be purchased and applied only by “certified applicators” or by persons under the direct supervision of certified applicators. To become a certified applicator, a person must meet certain standards of competency; these standards are met through completion of a certification program or test.

State, Indian Tribal governments as well as Federal Agencies administer applicator certification programs within their jurisdictions, but each agency’s certification plan must be approved by EPA before it can be implemented. Agencies authorized by EPA are collectively referred to in this document as “authorized agencies.” Currently all 50 States as well as some Indian tribes and Federal Agencies are authorized to run their own certification programs. Under authorized agencies’ certification programs, dealerships of RUP are not required to report their dealership information and RUP sales directly to EPA, and such information is not included in the paperwork burden estimates of this ICR.

In areas where no authorized agency has jurisdiction, EPA may administer a certification program directly, called a Federal program. Federal certification programs require RUP dealers to maintain records of RUP sales and to report and update their names and addresses with the pesticide regulatory agency for enforcement purposes. Starting in 2014, the Agency implemented an EPA-administered applicator certification program for Indian Country<sup>1</sup> and for Navajo Nation (79 FR 7185-89).<sup>2</sup> Under this EPA plan, dealerships operating in Indian Country are required to report their dealership and individual business names and addresses to EPA Regional offices.

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<sup>1</sup> The term *Indian Country* as it applies to the EPA-administered pesticide applicator certification plan is consistent with the statutory definition in 18 U.S.C. § 1151.

<sup>2</sup> EPA resource directory for the Federal Certification to Apply Restricted Use Pesticides in Indian Country (<http://www2.epa.gov/pesticide-applicator-certification-indian-country>; accessed on October 31, 2014)

This ICR also addresses how registrants of certain pesticide products are expected to perform specific, special paperwork activities, such as training and recordkeeping, in order to comply with the terms and conditions of the pesticide registration (e.g., registrants of anthrax-related pesticide products that assert claims to inactivate *Bacillus anthracis* (anthrax) spores). Paperwork activities associated with the use of such products are conveyed specifically as a condition of the registration.

## **2. NEED FOR AND USE OF THE COLLECTION**

### **2(a) Need/Authority for the Collection**

EPA needs the data from this information collection activity to ensure that restricted use pesticides (RUPs) are only purchased and applied by certified applicators, or individuals under their direct supervision. A certified applicator is a person who has demonstrated competency in the safe handling and application of RUPs, and who has received certification to that effect. This collection also makes records of specific RUP applications available for investigations or enforcement actions concerning possible misuses or poisoning incidents.

The authority for this information collection activity is provided under sections 3(d) and 11 of FIFRA and 40 CFR part 171. Section 3(d) of FIFRA authorizes EPA to classify registered pesticides as either general use or restricted use (*see* Attachment A). RUPs are those pesticides which, absent additional regulatory restrictions, may cause unreasonable adverse effects on people or the environment. Pesticides classified as restricted use may only be used by a certified applicator, or by a person under the direct supervision of a certified applicator.

Section 11(a) of FIFRA grants EPA the authority to prescribe standards for the certification of RUP applicators (*see* Attachment B). Under Section 11(a)(2) of FIFRA, EPA approves authorized agency certification programs. While the bulk of the certification programs are implemented by State agencies (all 50 States are authorized), tribes and other Federal agencies are also authorized agencies. The regulations in 40 CFR part 171 include procedures for certification programs for States, Federal agencies, Indian tribes, or U.S. territories who wish to develop and implement their own certification plans and programs, after obtaining EPA approval (*see* Attachment C). Additionally, EPA has authority to directly administer certification programs in areas with no authorized agency program.

EPA issued a Pesticide Registration Notice (PR Notice), on September 3, 2008, (73 FR 51467) informing registrants that certain conditions of registration will apply to anthrax-related products. The PR Notice, titled “Guidance for Antimicrobial Pesticide Products With Anthrax-Related Claims,” (Attachment D) specifies that products claiming to inactivate anthrax spores should be: (a) supported by specific sporicidal efficacy studies that are acceptable to EPA; and (b) subject to specific terms and conditions of registration that limit the use of these products to specifically trained persons. The training and reporting information activities for registrants of anthrax-related products will not be imposed on respondents until a registration is granted.

## **2(b) Practical Utility/Users of the Data**

In the Federal program, persons applying for pesticide applicator certification use a form to submit vital contact and identification information such as name, date of birth, and address, and for verification of identity and to schedule applicators for certification or recertification. This data is necessary to ensure that RUP applications are only carried out by or under the supervision of persons who have demonstrated competence in their proper use. Authorized agencies use their State or tribal authority to obtain this information.

Federal certification programs require dealers to maintain sales records for RUPs. Dealer records are necessary for EPA to ensure that access to RUPs is limited to certified applicators. State-administered (or authorized agency) certification programs use State authority to require dealers to maintain sales records for RUPs, and are not included in this ICR's paperwork burden estimates.

EPA requires a record of each application of a RUP by a certified commercial applicator under federally-run programs. EPA monitors these records to assure that RUPs are used only by, or under the direct supervision of, certified applicators, and to ensure that pesticide labeling requirements are adhered to by applicators. This is done by requiring applicators to record details of the RUP application. Without these records it would be difficult to successfully enforce against misuse, or investigate accidents or poisoning incidents.

RUP application records are also required for certified commercial applicators under programs run by States or other authorized agencies. These records are monitored to assure that RUPs are used only by, or under the supervision of, properly trained and certified applicators and to ensure that pesticide labeling requirements are adhered to by applicators. This is done by requiring applicators to record the application (e.g., amounts, locations, and dates) of RUPs. Without these records it would be difficult to successfully enforce against misuse and ensure proper training and supervision of uncertified applicators. EPA uses annual reports from the authorized agencies as a monitoring tool to develop overall data on pesticide activities for OMB, Congress, and others; to distribute EPA FIFRA grant funds to participating authorized agencies; to target enforcement activities; and to revise certification and training program emphasis and requirements.

In the case of certain RUPs like anthrax-related products, the Agency requires data to ensure that the sale and use of registered anthrax-decontaminant products is limited to persons who are trained in the safe and effective use of such products. Training must be repeated every two years. The required registrant training will help ensure that applications of anthrax-related products are performed safely, effectively and in accordance with the requirements of Federal, State and local authorities.

Due to the high risks involved in treating areas/objects contaminated with highly virulent and persistent anthrax spores, the Agency is limiting availability of anthrax-related products to those persons or companies who have a legitimate need. With this approach, these products will not to be sold, offered for sale, or distributed to the general public. EPA and other authorized agencies (e.g., Department of Homeland Security, Department of Defense, and other Federal and State agencies) will

use the recorded information to carry out decontamination activities and to conduct enforcement investigations, if needed, in the event of a bioterrorism attack. Registrants must maintain records of persons who have been trained and entities to which the product has been sold or distributed. Normally, records will not be submitted to EPA unless EPA requests them, such as in the event of a bioterrorism attack or in conjunction with enforcement investigations.

### **3. NON DUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA**

#### **3(a) Non duplication**

EPA is the only Federal agency with the authority to certify applicators of restricted use products. However, the United States Department of Agriculture (USDA) also has regulations which impact certified applicators. USDA has regulations which require private applicators to maintain records regarding the application of RUPs. The records required by USDA under 7 CFR 110 are more specific than those required by EPA under 40 CFR 171.

FIFRA prohibits EPA from requiring private applicators to keep records or make reports, so there is no duplication of recordkeeping with regard to private applicators. EPA only requires recordkeeping for commercial applicators. Consequently, no duplication of requirements exists.

All 50 states currently administer the certification program based on individual state plans that are approved by EPA. Under the FIFRA cooperative agreement with EPA, States are required to submit annual reports that describe program activity and planned changes to State plans. The reports detail the number of applicators certified, which an important piece of information as the state allocation for training is based on the numbers of applicators certified. These reports are the basis for the information collection that this request addresses. To prevent duplication and facilitate authorized agency reporting, EPA specifies in the FIFRA cooperative agreement guidance to authorized agencies that submitting information annual reporting information through CPARD satisfies the certification-related reporting requirements under the cooperative agreement. Authorized agencies may amend their plan with an addendum.

No other Federal, State, or tribal government agency requires that registrants conduct training for anthrax-related products, or that registrants keep information on persons trained or to whom anthrax-related products have been sold or distributed.

#### **3(b) Public Notice Required Prior to ICR Submission to OMB**

In proposing to renew this ICR, EPA published a Federal Register Notice (79 FR 43039) on July 24, 2014, and provided a 60-day public notice and comment period. No public comments were received.

#### **3(c) Consultations**

During preparation of this ICR renewal, EPA staff contacted seven representatives from a cross-section of stakeholders to seek feedback on the burden estimates in the ICR, the clarity of instructions provided, and other questions pertaining to the requirements of the program. The four stakeholders listed below responded either by email or through a phone interview. Full consultations responses from these stakeholders can be found in Attachment E.

1. Jasmine LR (Courville) Brown  
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2. Janice Cooney  
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While stakeholders generally found the instructions clear and agreed that the burden estimates for reporting and record keeping in this ICR are reasonable, a respondent under the authorized agencies category (Table 1 of this ICR) suggested changes to the burden estimates for two activities that are four times those of EPA's estimates. This comment did not provide an explanation of how those estimates were derived and EPA has not changed the estimates at this time.

Another consultation response regarding tribal certification suggested that the number of dealers in Indian country or Indian reservations cannot be just 10, as stated in Table 5a. of this ICR, but could be around 75. However, EPA believes that the comment was provided for dealers under the authorized agencies while the 10 dealerships discussed in the ICR are for the Indian country program directly administered by EPA.

A commercial applicator's comment on burden estimates stated that the ICR does not reflect the time it takes to comply with record keeping requirements (Table 3), and provided a base-line burden of 15 minutes per application. The ICR fully accounts for the relevant activities as listed by the

stakeholder, and the estimated burden is 3.1 hours.

EPA received other consultations responses regarding the ease of reporting as well as accuracy and availability of information on its website. One of the States consulted commented on the public availability and duplication of the information collected under this ICR, and provided a list of online resources where certification/licensing and applicator training information is publicly available. ODA pointed out that State licensing staff can be contacted for more specific data or public records requests. The Agency understands that ODA’s online resources include databases where dealer, applicator certification and dealership “licensing” information can be searched. While the suggested resources can provide partial information for some categories of the data required in the annual reports, the data does not provide the type of information that can serve its intended purpose as required by the Federal regulation under States’ FIFRA grants agreements with EPA. In addition, as indicated in Section 3(a) of this ICR, to prevent duplication and facilitate authorized agency reporting, EPA specifies in the FIFRA cooperative agreement guidance to authorized agencies that submitting annual reporting information through the Certification Plan and Reporting Database (CPARD) satisfies the certification-related reporting requirements under the cooperative agreement. Authorized agencies may amend their plan with an addendum.

### **3(d) Effects of Less Frequent Collection**

Authorized agencies’<sup>3</sup> reports on certification program activities are submitted to EPA annually, which is a minimal reporting period. Most annual reporting information required under the regulation is contained in authorized agencies’ annual grant report to EPA, and can be submitted as a joint package. Budget requests and the distribution of cooperative agreement funds are also done on an annual basis. The annual report data is used to support budget requests and to apportion cooperative agreement funds. Less frequent collection of information would be less efficient for overall reporting by authorized agencies. In addition, less frequent collection of information would not allow EPA to distribute these funds in the most equitable manner, as data demonstrating need would not be current.

For anthrax-related products, the information kept by registrants on certification, training and records regarding the persons to whom the product was sold will be requested only as needed (such as for an enforcement investigation), which should be very infrequently. Accordingly, less frequent collection of data would not meet the EPA’s needs.

### **3(e) General Guidelines**

FIFRA section 11(a)(1) requires that EPA use a form for applicators to apply for certification whenever the Agency administers the Certified Pesticide Applicator program in the place of a program administered by an authorized agency. The two forms used for this collection activity are EPA Form 8500-17-N, *Request for Pesticide Applicator Certification in Navajo Indian Country* (Attachment F) for use in Navajo Indian Country, and EPA Form 8500-17, *Request for Pesticide Applicator Certification in*

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<sup>3</sup> “Authorized agencies” are defined in section 1(b) of this ICR as EPA-authorized agencies of States and Indian tribal governments as well as Federal agencies.

*Indian Country* (Attachment G) to be used nationally for all Indian Country except Navajo. In Navajo Indian Country, the previous form will continue to be used. The recordkeeping activities briefly described herein will not exceed OMB's guideline that agencies not require records to be retained for more than 3 years (5 CFR 1320.5(d)(2)(iv)).

### **3(f) Confidentiality**

The activities or records proposed in this information collection do not include any confidential business information (CBI). Under the EPA-administered plan, date of birth, which falls under the Privacy Act as personally identifying information (PII), is collected in the process of certifying individuals to apply restricted use pesticides (RUPs) as private or commercial applicators. This information is collected to differentiate between individuals sharing the same names. The Agency published a Privacy Act System of Record Notice (SORN) in January of 2013 (77 FR 2060) covering application forms for RUP applicator certification under certification plans administered by EPA regional offices or the Office of Pesticide Programs, as described in (75 FR 49489; August 13, 2010). This system of records, titled "Records of Pesticide Applicators Certified Under EPA Administered Certification Plans," covers identification information such as birth dates. Records covered by this system of record notice are subject to Agencywide security requirements governing all Privacy Act database systems at EPA. System administrators may disclose certain personal information (e.g., names, addresses, EPA certification numbers, categories of certification) upon request as described in the section describing routine uses of records maintained in the system. The Tribal Pesticide Program Council and other tribes requested EPA to make certain information available online to facilitate their ability to confirm private and commercial certifications. The Agency plans to publish only the name, zip code and certification information for private applicators.

### **3(g) Sensitive Questions**

No information of a sensitive or private nature is requested in conjunction with this collection activity. Further, this information collection activity complies with the provisions of the Privacy Act of 1974 and OMB Circular A-108, as amended, "Responsibilities for the Maintenance of Records about Individuals by Federal Agencies."

## **4. THE RESPONDENTS AND THE INFORMATION REQUESTED**

### **4(a) Respondents/NAICS codes**

The North American Industrial Classification System (NAICS) codes for respondents participating in the data collection activity are noted here:

#### Applicators on Farms ("Private Applicators"):

111 Crop Production

112 Animal Production

Commercial Services Applicators:

561710 Exterminating and Pest Control Services

Administration of Certification Programs by States/Tribal Lead Agencies (“authorized agencies”):

924110 Environmental protection program administration

926140 Pest control programs, agricultural, governmental

Pesticide Dealers (only for EPA-administered programs – the Federal Certification Plan for Indian Country):

444220 Retail Nursery, Lawn, and Garden Supply stores

424910 Agricultural chemicals merchant wholesalers

Pesticide and Other Agricultural Chemical Manufacturing:

32532 Individuals or entities engaged in activities related to the registration of a pesticide product

**4(b) Respondent Activities**

(i) *Information Collections (ICs)*

The respondent activities covered in this ICR have been organized according to the following ICs in the electronic ICR submission system (ROCIS):

- Annual Reports
- Application for Federal Pesticide Applicator Certification
- Recordkeeping by Federally-Certified Commercial Applicators (RUPs)
- Recordkeeping by Commercial Applicators (RUPs)
- Recordkeeping by Restricted Use Pesticide Dealers in Indian Country
- Reporting by Restricted Use Pesticide Dealers in Indian Country
- Training of Federally-Certified Private Applicators in Indian Country
- Submission of Anthrax-Related Training and Examination Materials by Registrants
- Records for Anthrax-Related Training and Sales/Distribution by Registrants

(ii) *Data items, including reporting and recordkeeping requirements*



### Annual Reporting by Authorized Agencies on Certification and Training Programs

Annual reports are required from States, Indian tribes, and Federal agencies that implement and administer EPA-approved certification plans. These authorized agencies must develop reports based on the requirements in the regulations, including information on their respective program activity, such as the number, type, and category of applicators certified and recertified, and any significant changes to their plans. Annual reports are submitted through the Certification Plan and Reporting Database (CPARD). CPARD is a tool developed by the Washington State University with funding by the National Association of State Departments of Agriculture Research Foundation and, with the cooperation of EPA, is used by authorized agencies as a tool to quantify and qualify the effectiveness of EPA-approved certification programs. Conditions for the FIFRA cooperative agreement with authorized agencies specify that annual reporting submitted through CPARD satisfies the certification-related reporting requirements under the cooperative agreement. The ICR includes the estimated paperwork burden of submitting reports through the database.

The Agency estimates that one person per authorized agency creates a user profile in the CPARD system before the first use. The user profile must be updated in the event of staffing changes at the authorized agencies, which EPA conservatively estimates to be once a year for each reporting entity. This information is used to ensure that a representative of the authorized agency is providing the annual reporting data. Authorized agencies enter annual reporting data into a template with the reporting elements required under 40 CFR 171 rather than preparing a narrative annual report. The data is stored and maintained, and accessible for historical reference and if necessary to the authorized agency in preparing subsequent annual reports. The use of CPARD for annual reporting reduces the burden from recreating paper reporting forms each year and ensures no duplication between grant reporting and reporting under 40 CFR 171.

### Dealer Reporting in Federal (EPA-administered) Programs Indian Country

The regulations require dealers under Federal programs to report to EPA the business name as well as the name and address for each dealership. The report must only be submitted once, but updated information must be submitted if the dealership information changes. This information is used for inspection and enforcement purposes.

### Application for Certification in EPA-administered Programs in Indian Country

In Federal programs, regulations require that an application form (EPA Form 8500-17-N, *Request for Pesticide Applicator Certification in Navajo Indian Country* (Attachment F); and EPA Form 8500-17, *Request for Pesticide Applicator Certification in Indian Country*; (see Attachment G) be completed for persons seeking certification or recertification. The forms are necessary for EPA to certify and recertify applicators, by obtaining vital information on certified applicators such as name, date of birth, address, and type and category of certification.

EPA administers a Federal program (for both private and commercial applicators) throughout Indian Country nationally during this ICR renewal cycle; one of the application forms listed above must be submitted to obtain certification. This program expanded on an existing program to certify applicators in Navajo Indian Country. Applicators with current certification from an authorized agency

will be eligible for certification in Indian Country with proof of certification and a completed form. Private applicators will also be given the option to complete training and submit a completed form in lieu of a current existing certification.

#### Private Applicator Training – EPA-administered Programs in Indian Country

In accordance with FIFRA Section 11(2), and 40 CFR 171.11(d)(1), EPA has developed a training program that private applicators can take to obtain training, as described in the regulations, as well as submit the completed form in order to obtain their certification. This training is not required since these applicators still have the option to submit proof of current certification received from an authorized agency with a completed EPA form to receive their federal certification (see Attachments F & G).

EPA has not developed and does not require any training for commercial applicators seeking certification under EPA-administered certification programs in Indian Country. Commercial applicators in Indian Country must complete the application for certification in EPA-administered programs.

#### Dealer Recordkeeping in Federal (EPA-administered) Programs in Indian Country

The regulations require dealers under Federal programs to keep records of the sale of RUPs for 24 months. Dealer records are maintained at the pesticide dealership, and are not routinely submitted to EPA; however, they may be collected as part of an investigation or enforcement action. This is necessary for EPA to ensure that access to RUPs is limited to certified applicators, or those under their direct supervision. Without the ability to limit access to RUPs, there would be little purpose in certifying applicators or classifying pesticides as restricted use. This provision is solely intended to provide EPA with the authority to impose dealer recordkeeping in entities with EPA-administered programs. Programs administered by authorized agencies must use their own laws and regulations to require dealers to maintain records of RUP sales.

#### Commercial Applicator Records of RUP Use – Federal Programs

Commercial applicators under EPA-administered programs must generate records on the kinds, amounts, uses, dates and places of RUP applications immediately after the application is complete. Specifically, EPA requires commercial applicators to record the following information: the name and address of the person for whom the pesticide was applied; the location of the application; the target pest(s); the specific crop or commodity, as appropriate; the name and registration number of the pesticide applied; the amount applied and percent active ingredient per unit of pesticide used; and the type and amount of leftover pesticide disposed of with the method and location of disposal. Records must be retained for two years. Records are not required to be submitted, but they must be made available to EPA or officials of authorized agencies upon request. Records collected may become part of an enforcement action or investigation.

#### Commercial Applicator Records of RUP Use – Programs under Authorized Agencies

Commercial applicators under programs administered by authorized agencies must generate records on RUP applications immediately after the application is complete. In programs administered

by authorized agencies, the information recorded includes what EPA requires (described above in Federal programs) as well as any requirements by the authorized agency.

Records are not required to be submitted, but they must be made available to EPA or officials of authorized agencies upon request. Records collected may become part of an enforcement action or investigation.

Anthrax-Related Products: Training and Examination Materials

Registrants of anthrax-related products develop training and examination materials and submit them to EPA as part of the application for registration or amendment for EPA’s review and approval. At a minimum, these materials will include:

- Characteristics of and human health hazards posed by *B. anthracis* spores;
- Personal Protective Equipment (PPE) appropriate for protection against both *B. anthracis* spores and the pesticide product itself;
- Detailed instructions for safe and effective use of the pesticide product and any associated equipment;
- Detailed review of all steps involved in the decontamination process as provided in guidance from Federal agencies as well as review of applicable federal statutory and regulatory requirements and guidance; and
- A written examination.

Registrants will use the examination to assess whether the trained applicator's competency on the above issues is acceptable.

Anthrax-Related Products: Records of Persons Trained by the Registrant

Registrants of anthrax-related products will keep records of the persons who complete training on the use of their products. Such information would include, at a minimum, the person’s name, address, telephone number, and date of completion of training.

Anthrax-Related Products: Records of Persons to Whom Registrant Sells/Distributes Product

Registrants of anthrax-related products will keep records of the persons/entities to whom they sell or distribute their products. Such information would include, at minimum, the person’s or entity’s name, address, telephone number, date, and amount of product.

(iii) *Respondent Activities*

A typical authorized agency respondent will perform the following activities:

<i>Activity</i>	<i>Detail</i>
Read rules or other instructions	Read applicable regulations, 40 CFR 171, grant requirements, and other applicable requirements

Create information	Document activities/applications
Gather information	Collect records needed to develop annual report
Review	Review information for accuracy
Complete written forms or other instruments	Extract data from records and enter data into web-based template (CPARD)
Prepare to report information	Create a user profile in CPARD
Record, disclose, display, or report the information	Submit the report through CPARD; record maintenance for preparation of the next annual report is achieved through CPARD, which maintains historical information that can be used to develop subsequent reports; annual reporting through CPARD satisfies all certification-related reporting requirements of authorized agencies under grants from EPA.
Store, file, or maintain information.	Annual reporting data is stored and retained in CPARD.

A typical RUP dealer in Indian Country will perform the following activities:

<i>Activity</i>	<i>Detail</i>
Record, disclose, display, or report the information	Report to EPA of the business name, and name and address of the dealership
Create information	Document sales of RUPs
Store, file or maintain the information	Store and retain records

A typical commercial applicator in Indian Country will perform the following activities:

<i>Activity</i>	<i>Detail</i>
Complete Application	Complete EPA Form 8500-17 or Form 8500-17-N to secure certification in Indian Country based on certification issued under an authorized agency's certification program
Create information	Document activities/applications
Store, file or maintain the information	Store and retain records

A typical private applicator in Indian Country will perform the following activities:

<i>Activity</i>	<i>Detail</i>
Complete Application	Complete EPA Form 8500-17 or Form 8500-17-N to secure certification in Indian Country based on certification issued under an authorized agency's certification program or by completing the EPA-administered training program for private applicators in Indian Country
Receive Training	EPA-administered training program for private applicators in Indian

	Country
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A typical commercial applicator covered by a program administered by an authorized agency will perform the following activities:

<i>Activity</i>	<i>Detail</i>
Create information	Document activities/applications
Store, file or maintain the information	Store and retain records

A typical registrant of an anthrax-related product will perform the following activities:

<i>Activity</i>	<i>Detail</i>
Read rules or other instructions	Read applicable regulations (40 CFR 152) and guidance (PR Notices, etc.)
Develop training & exam, and recordkeeping method	Document development of materials and recordkeeping methods
Review	Review information for accuracy
Submit training and exam materials to EPA	Compile training and exam materials and submit to EPA
Gather and review information	Collect and review recordkeeping information
Submit recordkeeping information, if requested.	Compile report and submit, if requested.
Record, store, file, or maintain information.	Record, store and retain records.

**5. THE INFORMATION COLLECTED - AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT**

**5(a) Agency Activities**

In continuing this collection for Federal certification programs and authorized agencies, EPA will:

- Prepare reports
- Answer respondent questions.
- Review data submissions.
- Record data submissions.
- Develop/maintain a master database for data submissions.
- Reformat and distribute data.
- Store data.
- Administer training.

For anthrax-related products, EPA will:

- Answer respondent questions.
- Review training and examination materials.
- Record data.
- Maintain data.
- Store data.

## **5(b) Collection Methodology and Management**

**Authorized agencies:** Annual reports from authorized agencies are required. EPA allows respondents to use their end-of-year grant reporting to fulfill the annual report requirement under this collection program to the extent that information contained in such grant reports satisfies 40 CFR part 171 requirements. Certain minor reporting elements which may be outside the scope of the grant reports may be provided in whatever fashion the respondent finds most convenient and least burdensome. The information required under this program is generally included in the grant reports as a 2-3 page addendum to that report. A web-based template for electronic completion and submission of the annual reports (*Certification Plan and Annual Reporting Database*<sup>4</sup>) has been used by all states since 2006. CPARD is a tool developed by the Washington State University with funding by the National Association of State Departments of Agriculture Research Foundation and, with the cooperation of EPA, is used by authorized agencies as a tool to quantify and qualify the effectiveness of EPA-approved applicator certification programs. Conditions for the FIFRA cooperative agreement with authorized agencies specify that annual reporting submitted through CPARD satisfies the certification-related reporting requirements under the cooperative agreement. The ICR includes the estimated burden of submitting reports through the database in this ICR.

EPA does not require the submission of dealer records or commercial applicator records, but rather requires that they furnish records for inspection and copying upon request.

**Dealership information:** As of a few years ago, all 50 States in the U.S. run their own Pesticide Application Certification programs, and dealership information for the States is no longer reportable to EPA. With the implementation of the Federal Certification plan for Indian Country in 2014, however, RUP dealers under this program are required to report each dealership's name and address to the appropriate EPA Regional offices. There are currently 10 RUP dealers under this EPA-administered program.

**Applicators:** The applicator certification application form is used as an initial reference point for potential certified applicators in Federal programs. In addition to basic questions about the certification desired, the forms require identification information such as name, address, date of birth. Applicants to the Federal certification program mail completed forms to the respective EPA Regional office, which compiles and maintains data on program operations. The public may access information about the program and its operations data through the appropriate EPA Regional office. Contact

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<sup>4</sup> The *Certification Plan and Annual Reporting Database* is available at: <http://cpard.wsu.edu/login.aspx?ReturnUrl=%2fDefault.aspx>

information can be found in the instructions section of the Federal certification form.

Private applicators in the Federal plan now have the option of taking an EPA-developed course, then use an auto-generated code provided after their classes end to fill in the form to attest that they have completed the course.

**Anthrax-related materials:** Training materials submitted by registrants will be handled like any other registration data submissions. That is, each document will be assigned a Master Record Identification (MRID) number, converted to an electronic copy, and stored in EPA's existing data library. Applicable records for sale, use and training shall be available on site for inspection as needed.

### **5(c) Small Entity Flexibility**

This information collection applies specifically to individuals who are certified applicators. EPA believes that the records required of certified pesticide applicators and their employees are minimal and would generally be kept for the applicators' own use even in the absence of this regulation. In Federal programs for Indian Country, where EPA administers the certification program, dealers are also required to keep records. EPA does not require the submission of records kept by dealers or commercial applicators, but rather requires that they furnish records for inspection and copying upon request.

Most affected entities (certified applicators, pesticide dealers) are small entities. The information collected and the recordkeeping required is the minimum required by regulation and that is necessary to implement a successful certification program.

Pursuant to FIFRA Section 11(a)(2), the optional training program that EPA has developed does not require that applicators take examinations for private pesticide application certification applicants. In lieu of taking this optional training, applicants for private applicator certification still have the option to submit proof of current certification from an authorized agency with a completed form to receive their federal certification

For anthrax-related products, regulations apply specifically to registrants, most of whom are likely to be small entities. EPA believes that the records required of registrants are minimal. The information collected and the recordkeeping is the minimum necessary to meet the conditions of registration described in the PR Notice: *Guidance for Antimicrobial Pesticide Products with Anthrax-Related Claims*.

### **5(d) Collection Schedule**

There is no set collection schedule for commercial applicators. Commercial applicators must generate records on the kinds, amounts, uses, dates, and locations of RUP applications immediately after pesticide application, and are required to maintain these records for two years.

Similarly, dealer records of RUP sales are required to be maintained for two years. Although the

commercial applicator records and the dealer records are maintained locally and are not required to be submitted to EPA or the authorized agencies, they must be made available for EPA or authorized agency officials upon request. Records collected may become part of an investigation or enforcement action. Commercial applicators in EPA-administered programs must also submit an application form for certification or recertification, whenever needed.

Authorized agencies with an EPA-approved plan to administer their own applicator certification program must submit a report annually. The annual reporting period allows for efficiency in authorized agencies as most required information is contained in their end-of-year grant report, which can be submitted as a joint package. The annual reporting cycle also facilitates equitable apportionment of cooperative agreement funds to authorized agencies, based on data submitted.

There is no collection schedule for any data for anthrax-related products. Training and examination materials are only submitted with the application for registration or amendment. Information about training, sale, and distribution of anthrax-related products, including to whom product is sold, is not submitted unless EPA requests it, which would likely be infrequently.

## **6. ESTIMATING THE BURDEN AND COST OF COLLECTION**

### **6(a) Estimating Respondent Burden**

#### **Authorized Agencies' Reporting for Certification and Training Programs**

Authorized Agencies' reports on certification and training programs: EPA based the respondents' burden hour estimates on experience with and knowledge of the Certification and Training Program; Regional contacts and budget staffing records of the Regional offices; and information obtained from the consultation process, USDA, authorized agencies, and other resources. The total annual burden for EPA's State, Federal, and Tribal partners (authorized agencies) to report on certification and training programs is estimated to be 4,409 hours, with an average annual burden of 77.4 hours for each of the 57 participating entities (see Table 1). The average per-State burden was based on several estimates provided to EPA by participating States.

#### **Certification and/or Training Applications under EPA-Administered Programs in Indian Country**

EPA now administers two separate programs under the Federal certification plan for Indian Country throughout the US: a Federal plan for Navajo Indian Country, and a national Federal plan for all other Indian Country. The national plan was implemented beginning February 6, 2014 and the number of applicators utilizing the program is not yet known. The burden and cost estimates below represent a single estimate for both Federal plans in Indian Country throughout the U.S. Although the plan for Navajo Indian Country has been in effect for several years, and the national plan was only recently implemented, the combined burden estimates are based on the maximum burdens anticipated in any year



during this ICR renewal cycle.

The Agency estimates that 8,300 application forms will be submitted for both commercial and private pesticide applicator certification/ re-certification in the EPA-implemented program in Indian Country once a 3-year ICR cycle, resulting in an annual average of 2,767 applications for certification in the Federal program. With an average per-response burden estimate of 0.17 hours (10 minutes), the total annual burden for completing certification application forms for both commercial and private applicators is estimated to be 470 hours (see Table 2a). Since the Federal Program is managed by Agency personnel, this burden estimate is based on the experience of the personnel in EPA's Region 9, which runs the program in Navajo Indian Country, and extrapolated to all of Indian Country.

The optional, EPA-administered course for private applicators in the Federal plan is expected to take up to 12.1 hours total. Further, the Agency estimates that up to 30 private applicators will choose the optional training<sup>5</sup> in the next three years, with an average of 10 such trainees every year. The estimated total annual burden for this response is 121 hours (Table 2b). No recertification will occur during this period because the certification is valid for 4 years. In future cycles, EPA anticipates that a total of 30 private applicators will choose the optional training, covering applicators seeking initial certification and recertification.

### **Recordkeeping for RUP Sales and Pesticide Applications**

Commercial applicators under the Federal (EPA-administered) program: The total annual burden of recordkeeping for restricted use pesticide applications by commercial applicators under Federal certification programs (Indian Country throughout the U.S.) is estimated to be 10,044 hours, with an average burden estimate of 3.1 hours per response, for each of an estimated 3,240 responses (see Table 3).

Commercial applicators under programs administered by "authorized agencies": Commercial applicators and firms under authorized programs are also required to generate and maintain records of RUP applications immediately after the application. The Agency estimates that 421,000 commercial applicators will be subject to the recordkeeping requirements, for a total annual response burden of 1,305,100 hours. The average per-response burden is 3.1 hours (see Table 4).

Dealer sales of RUP Products under Federal (Indian Country, EPA-administered) programs: RUP dealers are required to record sales of RUPs and maintain these records. In this ICR, only the cost and burden estimates for dealer recordkeeping under federal certification programs are included. All 50 States (programs administered by authorized agencies) have implemented certification programs which they currently administer. States' certification programs use State authority to require dealers to maintain sales records for RUPs, and are not included in the estimates of this ICR.

The Agency estimates that there are 10 RUP dealers in Indian Country. Each RUP dealer has approximately 39 RUP sales transactions per year, which require approximately 3 minutes of dealer

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<sup>5</sup> Private Pesticide Applicator Certification (Indian Country)

<http://www2.epa.gov/pesticide-applicator-certification-indian-country/training-private-applicators-indian-country>

burden per transaction. This results in 19.50 hours total annual burden to collect and record information (Table 5a).

### **RUP Dealership Information Reporting**

Dealership information under EPA-administered programs: RUP dealers are required to report the name of the business and each dealership’s names and address to EPA only once. However, updated information must be submitted if the dealership information changes. This may include a new company submitting contact information, and existing company submitting a name change, or contact information change such as an address or telephone number change, or an company that is no longer in business submitting information.

Based on the current number of 10 dealers under the Federal program, the Agency estimates that approximately one third of the 10 respondents will require some type of information change over a three year period, or approximately one RUP dealer per year. Each of the dealership information reporting activities is estimated to require approximately 1 hour of dealer burden. This results in an annual total burden of approximately one hour to collect, submit, and maintain information (Table 5b).

### **Applicator training and sales of anthrax-related products**

In estimating the average respondent burden related to the information collection components on anthrax-related products, EPA based the burden hour and cost estimates on its experience and information obtained from the consultation process and other resources. The total annual burden for affected registrants for training and examination activities is estimated to be 50 hours, with an average burden of 25 hours each for approximately 2 registrants (see Table 6). The total annual burden for recordkeeping of persons trained and persons/entities to whom anthrax-related products are sold or distributed is estimated to be 37 hours, with an average burden of 18.5 hours for each of 2 registrants (see Table 7).

### **6(b) Estimating Respondent Costs**

Agency economists revised the estimated wages, benefits and overhead for all labor categories for affected industries, state government, and EPA employees based on publicly available data from the US Bureau of Labor Statistics. The formulas used to estimate the labor rates and formulas used to derive the fully loaded rates and overhead costs for this ICR renewal are listed in **Attachment H**.

Methodology	The methodology uses data on each sector and labor type for an <i>Unloaded wage rate</i> (hourly wage rate), and calculates the <i>Loaded wage rate</i> (unloaded wage rate + benefits), and the <i>Fully loaded wage rate</i> (loaded wage rate + overhead). Fully loaded wage rates are used to calculate respondent costs. This renewal uses 2013 data.
Unloaded Wage Rate	Wages are estimated for labor types (management, technical, and clerical) within applicable sectors. The Agency uses average wage data for the relevant sectors

	available in the National Industry-Specific Occupational Employment and Wage Estimates from the Bureau of Labor Statistics (BLS) at <a href="http://www.bls.gov/oes/current/oes_nat.htm">http://www.bls.gov/oes/current/oes_nat.htm</a> .
Sectors	The specific North American Industry Classification System (NAICS) code and website for each sector is included in that sector's wage rate table (see Attachment H). Within each sector, the wage data are provided by Standard Occupational Classification (SOC). The SOC system is used by Federal statistical agencies to classify workers into occupational categories for the purpose of collecting, calculating, or disseminating data (see <a href="http://www.bls.gov/oes/current/oes_stru.htm">http://www.bls.gov/oes/current/oes_stru.htm</a> ).
Loaded Wage Rate	Unless stated otherwise, all benefits represent 45% of unloaded wage rates, based on benefits for all civilian nonfarm workers, from <a href="http://www.bls.gov/news.release/ecec.t01.htm">http://www.bls.gov/news.release/ecec.t01.htm</a> . However, if other sectors are listed for which 45% is not applicable, the applicable percentage will be stated.
Fully Loaded Wage Rate	We multiply the loaded wage rate by 50% (EPA guidelines 20-70%) to get overhead costs.

The following tables illustrate the estimated burden and costs associated with the information collection activities of this program.<sup>6</sup> For annual report activities, the estimated average annual cost per participating State or other authorized agency is about \$3,739.58, with the total annual cost for all authorized agencies estimated to be \$213,156.06 (Table 1).

The estimated average annual cost for certifying commercial and private applicators in Indian Country is \$5.48 per respondent, with the total annual cost for all certified applicators estimated to be about \$15,163.16 (Table 2a).

The optional, EPA-administered training course for private applicators in the Federal plan is expected to cost \$390.10 per response. Based on 10 private applicators opting for the course, the total annual cost estimates for this activity are \$3,901 (Table 2b).

The total annual respondent cost for all commercial applicator recordkeeping of RUP applications in Indian Country is estimated at \$323,805.60 with an average annual per-respondent cost of \$99.94 (Table 3).

Recordkeeping of applications by all commercial applicators under State authority has an estimated total annual cost of \$42,074,740, based on the commercial applicator count of 421,000, with an average annual per-respondent cost of about \$99.94 (Table 4).

The estimated average annual cost per respondent for all RUP dealers in Indian Country to record sales and maintain records is \$2.30, with the total annual cost for all 10 RUP dealers estimated to be approximately \$896.22. This assumes 39 RUP sales transactions per dealer per year, with 3 minutes

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<sup>6</sup> Values are rounded to the nearest two decimal places, and actual column totals may be slightly higher or lower.

required during each transaction, or approximately 19.5 hours per year for the 10 respondents over the course of a year (Table 5a).

Under the Federal certification plan, the agency estimates that a third of the current respondents are either new or have had to submit dealership change information every year. Using the same respondent numbers to forecast for the next three years, with a conservative per-activity burden of 1 hour, and a per-response average annual cost of \$45.96 (10 dealers x 1/3 x wage rate), EPA estimates the total annual cost for this activity at \$153.05 (Table 5b).

For registrants of anthrax-related products, the estimated average annual cost per registrant for training and examination materials is about \$1,718.66, with the total annual cost for all registrants estimated to be almost \$3,437.32 (Table 6).

The estimated average annual cost to these respondents for recordkeeping activities is approximately \$1,306.29 per registrant, with the total annual cost for all registrants estimated to be about \$2,612.58 (Table 7).

**Table 1. Average Annual Respondent Burden and Cost Estimates to Authorized Agencies for Annual Reports on Certification and Training Programs**

Collection Activities	Annual Burden Hours Per Respondent		TOTALS	
	Tech. \$59.17/hr.	Clerical \$40.81/hr.	Hours	Cost \$
Read/hear rule or any collection instrument instruction (incl. compliance determination)	0.25	0	0.25	14.79
Create information	5	0	5	295.85
Gather information	5	0	5	295.85
Process, compile, review information for accuracy	1	0	1	59.17
Complete written forms or other instruments	0.5	0.5	1	49.99
Record, disclose, display, or report the information	20	45	65	3,019.85
Store, file, or maintain the information	0	0.1	0.1	4.08
<b>TOTAL</b>	<b>31.75</b>	<b>45.6</b>	<b>77.35</b>	<b>3,739.58</b>

TOTAL ANNUAL BURDEN: 77.35 hrs. /respondent x 57 respondents = 4,409 hrs.

TOTAL ANNUAL COST: \$3,739.58/respondent x 57 respondents = \$213,156.06

NAICS codes

State government: 999200  
 Technical, Life, Physical, and Social Science Occupations: 19-0000  
 Clerical, Office and Administrative Support Occupations: 43-0000

**Table 2a. Certified Applicators in Federal Programs (Indian Country) for Completion of EPA Form to Apply for Certification**

Collection Activities	Annual Burden and Cost Per Respondent
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	Tech. Hours \$32.24/hr.	Total Hours	Cost \$
Read/hear rule or any collection instrument instruction (incl. compliance determination)	0.07	0.07	2.26
Complete written forms or other instruments	0.10	0.10	3.22
<b>TOTAL</b>	<b>0.17</b>	<b>0.17</b>	<b>5.48</b>

TOTAL ANNUAL BURDEN: 0.17 hrs. /respondent x 2,767 respondents = 470.39 hrs.

TOTAL ANNUAL COST: \$5.48/respondent x 2,767 respondents = \$15,163.16

NAICS code: 37-3012

Pesticide Handlers, Sprayers, and Applicators, Vegetation: 37-3012

**Table 2b. Optional Private Applicator Training in Federal Programs (Indian Country)**

Collection Activities	Annual Burden and Cost Per Respondent		
	Tech. Hours \$32.24/hr.	Total Hours	Cost \$
Read/hear rule or any collection instrument instruction (incl. compliance determination)	0.07	0.07	2.26
Complete optional EPA-administered training program	12	12	386.88
Complete written forms or other information	0.03	0.03	0.97
<b>TOTAL</b>	<b>12.1</b>	<b>12.1</b>	<b>390.10</b>

TOTAL ANNUAL BURDEN: 12.1 hrs. /respondent x 10 respondents = 121 hrs.

TOTAL ANNUAL COST: \$390.1/respondent x 10 respondents = \$3901.00

NAICS code: 37-3012 Pesticide Handlers, Sprayers, and Applicators, Vegetation

**Table 3. Average Annual Respondent Burden and Cost Estimates for Commercial Applicators in Federal Programs (Indian Country) for Recordkeeping for RUP Applications**

Collection Activities	Annual Burden and Cost Per Respondent		
	Tech. Hours \$32.24/hr.	Total Hours	Cost \$
Read/hear rule or any collection instrument instruction (incl. compliance determination)	0.2	0.2	6.45
Create information	2	2	64.48
Store, file, or maintain the information	0.9	0.9	29.02
<b>TOTAL</b>	<b>3.1</b>	<b>3.1</b>	<b>99.94*</b>

TOTAL ANNUAL BURDEN: 3.1 hrs. /respondent x 3,240 respondents = 10,044 hrs.

TOTAL ANNUAL COST: \$99.94/respondent x 3,240 respondents = \$323,805.60

NAICS code: 37-3012 Pesticide Handlers, Sprayers, and Applicators, Vegetation

**Table 4. Average Annual Respondent Burden and Cost Estimates for Commercial Applicators and Firms under Authorized Agency Programs for Recordkeeping for RUP Applications**

Collection Activities	Annual Burden and Cost Per Respondent		
	Tech. Hours \$32.24/hr.	Total Hours	Cost \$
Read/hear rule or any collection instrument instruction (incl. compliance determination)	0.2	0.2	6.45
Create information	2	2	64.48
Store, file, or maintain the information	0.9	0.9	29.02
<b>TOTAL</b>	<b>3.1</b>	<b>3.1</b>	<b>99.94</b>

TOTAL ANNUAL BURDEN: 3.1 hrs. /respondent x 421,000 respondents = 1,305,100 hrs.

TOTAL ANNUAL COST: \$99.94/respondent x 421,000 respondents = \$42,074,740

NAICS code: 37-3012 Pesticide Handlers, Sprayers, and Applicators, Vegetation

**Table 5a. Dealers in Federal Programs (Indian Country) for RUP Sales Recordkeeping**

Collection Activities	Annual Burden and Cost Per Respondent		
	Tech. Hours \$45.96/hr.	Total Hours	Cost \$
Read/hear rule or any collection instrument instruction (incl. compliance determination)	0.02	0.02	0.92
Create information	0.02	0.02	0.92
Store, file or maintain the information	0.01	0.01	0.46
<b>TOTAL</b>	<b>0.05</b>	<b>0.05</b>	<b>2.30</b>

TOTAL ANNUAL BURDEN: (.05 hrs. /respondent x 10 respondents) x 39 responses per respondent = 19.5 hrs.

TOTAL ANNUAL COST: (\$2.30/respondent x 10 respondents) x 39 responses per respondent = \$896.22

NAICS code: 444200 Retail Nursery, Lawn and Garden Supply Stores.

**Table 5b. Dealers in Federal Programs (Indian Country) for Reporting Dealerships' Name and Address Changes**

Collection Activities	Annual Burden and Cost Per Respondent		
	Tech. Hours \$45.96/hr.	Total Hours	Cost \$
Read/hear rule or any collection instrument instruction (incl. compliance determination)	0.2	0.2	9.19
Create information	0.3	0.3	13.79
Report dealership contact information	0.4	0.4	18.38
Store, file or maintain the information	0.1	0.1	4.60
<b>TOTAL</b>	<b>1</b>	<b>1</b>	<b>45.96</b>

TOTAL ANNUAL BURDEN: 1 hrs. /response x 10 dealers x 1/3 = 3.33 hrs.

TOTAL ANNUAL COST: \$45.96 /response x 10 respondents x 1/3 = \$153.05

NAICS code: 444200 Retail Nursery, Lawn and Garden Supply Stores.

**Anthrax Related Activities**

**Table 6. Anthrax-related products: Average Annual Respondent (Registrant) Burden and Cost Estimates for Training and Examination Materials**

Collection Activities	Annual Burden Hours Per Respondent		TOTALS	
	Tech. \$70.61/hr.	Clerical \$39.55/hr.	Hours	Cost \$
Read/hear PR Notice (guidance)	0.5	0	0.5	35.31
Develop Training & Examination Materials	20	0	20	1,412.20
Review information for accuracy	2	0	2	141.22
Submit training and exam materials to EPA	1	1	2	110.16
Record, store, and file the information	0	0.5	0.5	19.78
<b>TOTAL</b>	<b>23.5</b>	<b>1.5</b>	<b>25</b>	<b>1,718.66</b>

TOTAL ANNUAL BURDEN: 25 hrs. /respondent x 2 respondents = 50 hrs.

TOTAL ANNUAL COST: \$1,718.66/respondent x 2 respondents = \$3,437.32

Standard Occupational Codes: 325300

Management: 11-0000, Management Occupations

Technical: 19-0000, Life, Physical, and Social Science Occupations

Clerical: 43-0000, Office and Administrative Support Occupations

**Table 7. Anthrax-related products: Average Annual Respondent (Registrant) Burden and Cost Estimates for Recordkeeping**

Collection Activities	Annual Burden and Cost Per Respondent		
	Tech. Hours \$70.61/hr.	Total Hours	Cost \$
Read/hear PR Notice (guidance)	0.5	0.5	35.31
Gather and review information	10	10	706.10
Record, store, and file the information	5	5	353.05
Submit information, only if requested	3	3	211.83
<b>TOTAL</b>	<b>18.5</b>	<b>18.5</b>	<b>1,306.29</b>

TOTAL ANNUAL BURDEN: 18.5 hrs. /respondent x 2 respondents = 37 hrs.

TOTAL ANNUAL COST: \$1,306.29/respondent x 2 respondents = \$2,612.58

Standard Occupational Codes: 325300

Management: 11-0000, Management Occupations

Technical: 19-0000, Life, Physical, and Social Science Occupations

Clerical: 43-0000, Office and Administrative Support Occupations

**6(c) Estimating Agency Burden and Cost**

**Certification Programs:** Based on experience, the Agency has estimated the annual burden to

the federal government to review the submissions of annual reports and applications for certification. In addition, starting in February, 2014, an optional certification training is provided through EPA-affiliated employees, currently running once a month. Each training module takes 12 hours to provide. The Agency may offer the training quarterly, or as needed, in future years. The Agency's total annual burden associated with the certification of pesticide applicators program is estimated at 2,260.1. The total annual cost to the Agency is estimated at \$182,021.66. The burden and cost to the Agency increased from the estimates in the last ICR renewal due to an increase in the number of respondents/responses in Indian Country.

**Anthrax-related products:** The Agency estimates the annual burden to the Federal government to review the registrants' training material submissions to be 75 hours. The total annual cost to the Agency is estimated at \$6,013.50.

**Total Agency burden:** The Agency estimates the total annual burden to the Federal government associated with the certification of pesticide applicators program and anthrax-related products training materials to be 2,335.1. The total annual cost to the Agency for these reviews is \$188,035.16.

**Table 8a. Annual Agency Burden and Cost Estimates - Burden to EPA Regional Offices for Indian Country Program and for Processing Annual Reports from Authorized Agencies Prior to Submission to Headquarters**

Collection Activities	Mgmt. hours \$121.44/hr.	Tech. hours \$80.18/hr.	Clerical hours \$45.18/hr.	Total Hours	Cost \$
Prepare Regional Reports - for Federal Programs in Indian Country (including collecting dealer reports) <sup>7</sup>	0	1040	0	1040	83,387.2
Answer respondent questions	7.1	228	0	235.1	19,143.26
Audit/review submissions	15	638	0	653	52,976.44
Reformat and distribute data	0	50	0	50	4,009.00
Store, file, or maintain the information	0	17	3	20	1,498.60
<b>TOTAL</b>	<b>22.1</b>	<b>1,869</b>	<b>3</b>	<b>1998.10</b>	<b>161,014.5</b>

NAICS 999100 - Federal Executive Branch Standard Occupational Codes:

Management: 11-0000, Management Occupations

Technical: 19-0000, Life, Physical, and Social Science Occupations

Clerical: 43-0000, Office and Administrative Support Occupations

**Table 8b. Annual Agency Burden and Cost Estimates - Burden to Headquarters for Review of Submitted Annual Reports and Administering Training**

Collection Activities	Tech. Hours	Cost \$
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<sup>7</sup> The EPA-administered plan for Navajo Country and for the National Indian Country plans are included in Regions' reports.



	\$80.18/hr.	
Administer/provide private applicator training	12	962.16
Answer respondent questions	116	9,300.88
Audit/review submissions	93	7,456.74
Reformat and distribute data	29	2,325.22
Store, file, or maintain the information	12	962.16
<b>TOTAL</b>	<b>262</b>	<b>21,007.16</b>

NAICS 999100 - Federal Executive Branch Standard Occupational Codes:

Management: 11-0000, Management Occupations

Technical: 19-0000, Life, Physical, and Social Science Occupations

Clerical: 43-0000, Office and Administrative Support Occupations

**Table 8c. Annual Agency Burden and Cost Estimates - Burden to Headquarters for Review of Submitted Training and Examination Materials for Anthrax-related Products**

Collection Activities	Tech. Hours \$80.18/hr.	Cost \$
Answer respondent questions	3	240.54
Audit/review submissions	60	4,810.80
Reformat and distribute data	6	481.08
Store, file, or maintain the information	6	481.08
<b>TOTAL</b>	<b>75</b>	<b>6,013.50</b>

NAICS 999100 -Federal Executive Branch Standard Occupational Codes:

Management: 11-0000, Management Occupations

Technical: 19-0000, Life, Physical, and Social Science Occupations

Clerical: 43-0000, Office and Administrative Support Occupations

**6(d) Bottom Line Burden Hours and Cost Table**

**Table 9. Bottom Line Annual Burden and Cost Table**

Respondent	Total Burden Hours	Total Cost (\$)
States (Table 1)	4,409	213,156.06
Federal program - certified applicators (Tables 2 and 3)		
Table 2a	470	15,163.16
Table 2b	121	3901.00
Table 3	10,044	323,805.60
State-administered programs - commercial applicators (Table 4)	1,305,100	42,074,740.00
RUP dealer burden for recordkeeping of RUP sales (Table 5a)	19.50	896.22
RUP dealer burden for reporting informational changes (Table 5b)	3.3	153.05

Anthrax-related products - registrants (Tables 6 and 7)		
	Table 6	50
	Table 7	37
<b>Respondent Total</b>		<b>1,320,254</b>
		<b>42,637,864.99</b>
<b>Agency</b>	<b>Total Burden Hours</b>	<b>Total Cost (\$)</b>
EPA Regional Offices (Table 8a)	1,998.1	161,014.5
EPA Headquarters (Table 8b)	2620	21,007.16
EPA Headquarters – review of registrant training materials for anthrax-related products (Table 8c)	75	6,013.50
<b>Agency Total</b>	<b>4,693.1</b>	<b>188,035.16</b>

### 6(e) Reasons for Change in Burden

The total estimated respondent burden for this renewal ICR reflects a net decrease of 415 hours. This decrease reflects EPA's updating of burden estimates, addition of a recently-implemented optional, voluntary offering, and a change in the number of entities whose certification programs are directly overseen by EPA. The burden changes are the result of both adjustments and program changes.

### 6(f) Burden Statement

The total annual respondent burden associated with this ICR is estimated to be 1,320,254 hours, and the total annual respondent cost associated is \$42,637,864.99.

According to the Paperwork Reduction Act, “burden” means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. For this collection, it is the time reading the regulations, planning the necessary data collection activities, analyzing data, generating reports and completing other required paperwork, and storing, filing, and maintaining the data. The agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this information collection appears at the beginning and end of this document. In addition OMB control numbers for EPA’s regulations, after initial display in the final rule, are listed in 40 CFR Part 9.

The Agency has established a public docket for this ICR under Docket ID No. EPA-HQ-OPP-2014-0446, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Building), 2777 S. Crystal Drive, Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805. You may submit comments regarding

the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden, including the use of automated collection techniques.

Submit your comments, referencing Docket ID No. EPA-HQ-OPP-2014-0446 and OMB Control No. 2070-0029, to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), or by mail to: Public Information and Records Integrity Branch (PIRIB), Mail Code: 7502P, Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460, and (2) OMB by mail to: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

## ATTACHMENTS TO THE SUPPORTING STATEMENT

Attachments to the supporting statement are available in the public docket established for this ICR under docket identification number EPA-HQ-OPP-2014-0446. These attachments are available for online viewing at [www.regulations.gov](http://www.regulations.gov) or otherwise accessed as described in section 6(f) of the supporting statement, and as noted below.

- Attachment A:**     **7 U.S.C. 136a(d) - FIFRA Section 3(d)** - Also available at online at the US House of Representatives' US Code website
- Attachment B:**     **7 U.S.C. 136i - FIFRA Section 11** - Also available at online at the US House of Representatives' US Code website
- Attachment C:**     **40 CFR 171 - Certification of Pesticide Applicators** - Also at National Archives and Records Administration's Electronic CFR Website
- Attachment D:**     **Pesticide Registration (PR) Notice 2008-2** - "Guidance for Antimicrobial Pesticide Products With Anthrax-Related Claims"  
Also available at: [http://www.epa.gov/PR\\_Notices/index.htm](http://www.epa.gov/PR_Notices/index.htm)
- Attachment E:**     Record of Consultations
- Attachment F:**     EPA Form 8500-17-N – Request for Pesticide Applicator Certification in Navajo Indian Country and Instructions. Also available at:  
<http://www.epa.gov/oppfead1/safety/applicators/2007/8500-17-N-form.pdf>
- Attachment G:**     EPA Form 8500-17 – Request for Pesticide Applicator Certification in Indian Country and Instructions. Form is available at  
[http://www2.epa.gov/sites/production/files/2013-12/documents/applicator\\_form.pdf](http://www2.epa.gov/sites/production/files/2013-12/documents/applicator_form.pdf), and instructions at  
[http://www2.epa.gov/sites/production/files/2014-02/documents/application-instructions-certification-indian-country-2\\_0.pdf](http://www2.epa.gov/sites/production/files/2014-02/documents/application-instructions-certification-indian-country-2_0.pdf)
- Attachment H:**     Wage Rate Tables (Commercial Pesticide Applicators, Pesticide Registrants, Dealers, State Government, and EPA)
- Attachment I:**     Display Related to OMB Control #2070-0029 – *Listings of Related Regulations in 40 CFR 9.1*