

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

**1. IDENTIFICATION OF THE INFORMATION COLLECTION**

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

This proposed ICR amendment for rulemaking is titled "Pesticides; Certification of Pesticide Applicators; Proposed Rule [RIN 2070-AJ20]."

OMB No.: 2070-[new]; EPA No.: 2499.01

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

This Information Collection Request (ICR) amendment covers the proposed revisions to the "Certification of Pesticide Applicators" at 40 Code of Federal Regulations (CFR) Part 171, which regulates the certification of applicators of restricted use pesticides (RUPs), assuming that the proposed amendments become final. This ICR estimates the incremental burden of the proposed changes not already included in the currently approved ICR "Certification of Pesticide Applicators"<sup>1</sup> covering the current 40 CFR Part 171.

The existing regulation has provisions for states, tribes, territories, and federal agencies that wish to certify applicators to use RUPs to submit certification plans to EPA for review and approval, and requirements to report on specific information related to applicator certification activities annually. The regulation has standards of competency for persons who are certified to apply RUPs, as well as requirements related to noncertified applicators who apply RUPs under the direct supervision of certified applicators. In addition, it already requires pesticide dealers to maintain records of RUP sales in areas where EPA administers an applicator certification program.

EPA is proposing changes to the rule to improve the competency of certified applicators of RUPs and noncertified applicators who apply RUPs under the direct supervision of certified applicators. Proposed changes to the rule include new and revised standards for certification for commercial and private applicators, provisions for recertification of applicators, and training for noncertified applicators applying RUPs under the supervision of certified applicators. The proposal also includes changes to improve the clarity and organization of the rule and overall program operation. The proposed changes to the regulation are intended to ensure that all persons who use RUPs – i.e., private applicators, commercial applicators, and noncertified applicators using RUPs under the direct supervision of certified applicators – are competent to use RUPs in a manner that will not result in unreasonable adverse effects to themselves, others, or the environment.

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<sup>1</sup> See OMB ICR Ref. No. 201502-2070-002 - [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201502-2070-002](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201502-2070-002)

This amendment ICR estimates the burden and costs of the proposed changes related to information collection and includes: training for noncertified applicators applying RUPs under the direct supervision of certified applicators, recordkeeping of the noncertified applicator training, recordkeeping of RUP sales by pesticide dealerships under certification programs not administered by EPA, and costs to states, territories, tribes, and federal agencies to revise certification plans as needed to comply with the proposed requirements.

The following sections provide a general overview of the proposed requirements; burden and cost estimates are found in section 6.

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

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

The U.S. Environmental Protection Agency (EPA, or the Agency) is responsible for the regulation of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This responsibility includes protecting applicators, the public, and the environment from exposure to pesticides. The current regulation 40 CFR Part 171, “Certification of Pesticide Applicators,” establishes the requirements for applicators of RUPs. RUPs are pesticides that EPA classifies as restricted use because they may pose unreasonable adverse effects to human health or the environment. To mitigate the risks of unreasonable adverse effects, RUPs must only be applied by applicators who have demonstrated a sufficient level of competency, as outlined in the regulations at 40 CFR part 171.

In accordance with FIFRA Section 25, EPA issued proposed revisions to 40 CFR 171, to improve these protections.

RUP applicators, including noncertified applicators using RUPs under the direct supervision of certified applicators, are exposed to pesticides and pesticide residues as part of their occupation. Such exposure can pose significant long- and short-term health risks. Noncertified applicators may be exposed to a wide range of pesticides with different toxicities and risks. In addition, RUPs pose risks of unreasonable adverse effects to the health of the applicators, bystanders, and the public, as well as to the environment, if not applied properly by competent persons. There is strong general evidence that such risks can occur and that they can be reduced; the activities subject to this ICR are designed to help reduce these risks by reducing exposure. Overall, the weight of evidence suggests that these paperwork activities, including the revisions in the proposed rule, would result in reduced incidents of negative effects from RUP exposure on the applicators, the public, and the environment.

The proposed rule requires specific training for noncertified applicators on proper application of RUPs and how to protect themselves, their families, and the environment from RUP exposure. Without the required training, affected noncertified applicators may be unaware of the risks of pesticide exposure or how to protect themselves and others from RUP exposure. The proposal would also require the certified applicator supervising a noncertified applicator to maintain records of the training provided, including 1) the trained noncertified applicator’s printed name, and signature; 2) the date of the training; 3) the name of the person who provided

the training; and 4) the supervising commercial applicator's name. The proposed training is intended to improve protections for noncertified applicators, the public, and the environment.

The regulations are enforced by state agencies, tribes, and territories. The EPA has received feedback from our regulatory partners indicating difficulty enforcing some requirements, due primarily to a lack of records. Proposed recordkeeping of training and RUP sales is designed to improve enforcement capability as a means of fostering compliance, thereby improving protections.

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

Training of noncertified applicators is necessary to ensure that persons using RUPs under the direct supervision of certified applicators have received the proper instruction and are prepared adequately to use RUPs in a manner that should not cause unreasonable risk to human health or the environment. Without these records, it would be difficult to successfully enforce against misuse and ensure proper training and supervision of noncertified applicators.

Dealer records of sales of RUPs are necessary for EPA to ensure that access to RUPs is limited to certified applicators. Recordkeeping of both training and sale of RUPs enhances the enforceability of these requirements.

State, tribal, territory, and federal agency certification plans and annually reported data related to applicator certification under these programs are used for several purposes. When a state receives a request to issue a reciprocal certification based on a certification issued by another state, it may review the certification plan of the issuing state to ensure the standards for certification are sufficiently similar to its own to warrant granting the reciprocal certification. The annually reported data from state certification programs is used in a formula to distribute federal funding to states under the State and Tribal Assistance Grants program.

## **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 RUPs. However, the United States Department of Agriculture (USDA) also has regulations that impact certified applicators. The records required by USDA under 7 CFR 110, "Recordkeeping on Restricted Use Pesticides by Certified Applicators; Surveys and Reports," are more specific than those required by EPA under 40 CFR 171.

USDA's regulations require private applicators to maintain records regarding the application of RUPs. 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. Only EPA requires recordkeeping for commercial applicators. The proposed recordkeeping for training of noncertified applicators only applies to commercial applicators. Consequently, no duplication of requirements exists.

The regulation provides for an exemption from the requirements of training for noncertified applicators using RUPs under the direct supervision of a certified applicator who have a currently valid training qualification as a handler under the Worker Protection Standard found in 40 CFR Part 170. Therefore, no duplication of training is imposed.

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

The proposed rulemaking serves as the public notice for this ICR amendment. Interested parties should submit comments referencing Docket ID No. EPA-HQ-OPP-2011-0183 to the address listed at the end of this document. Responses will be taken into account in developing the final rulemaking.

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

Formal and informal consultations have occurred regarding EPA's regulation of activities performed by firms in the course of training and certifying persons who apply RUPs. Regulations under 40 CFR 171 were published in the **Federal Register** in 1974, 1975, and 1978 with minor modifications in 1983 and 1984. EPA has engaged in continuous consultation and/or dialogue with industry and states on an informal and ongoing basis since beginning consideration of changing the regulation.

The Agency has been developing this proposal for a number of years and was required to convene a Panel under the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). The Panel Report, all assembled materials, and the comments from small entities potentially affected by the proposed rule are in the docket for this action (EPA-HQ-2011-0183 at [www.regulations.gov](http://www.regulations.gov))

Consistent with EPA's Indian policy, EPA's Office of Pesticide Programs conducted a consultation with tribes in April 2010 during the rule development process to inform tribal governments of EPA's rule proposals. The consultation was carried out via a series of scheduled conference calls with tribal representatives. The purpose of the consultation was to make tribes aware of and solicit input on the proposals that could affect tribes.

The changes to the information to be submitted to EPA by states, tribes, territories, and federal agencies that administer RUP applicator certification programs approved by EPA will be included in EPA's outreach materials directed to these agencies. Also, EPA intends to encourage industry and states applicants to consult with the Agency during the public comment period.

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

Training proposed for noncertified applicators would be required annually, as specified in 40 CFR 171. Recordkeeping of the training is only required once per event. Consequently, the possibility for less frequent recordkeeping does not exist under the proposed amendments. Less frequent training would increase risk of unreasonable adverse effects from RUP use.

States, tribes, territories, and federal agencies that currently have certification plans approved by EPA will be required to revise these certification plans to incorporate the rule revisions, once final. This submission is anticipated as a one-time event. As required under the current regulation, an authorized agency that makes significant changes to its plan beyond the changes to comply with the proposed rule would be required to submit the revised plan to EPA for approval.

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

This information collection adheres to OMB's guidelines at 5 CFR 1320.5(d).

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

The activities or records proposed in this information collection do not include any confidential business information (CBI) and will not involve any confidentiality concerns or information.

The Agency does not collect recordkeeping on the third-party training and RUP sales requirements. Further, this activity complies with the provisions of the Privacy Act of 1974 and OMB circular A-108.

### **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 have been provided below to help identify potentially affected categories and entities. This listing is not, however, intended to be exhaustive.

#### Pesticide Applicators:

- 111 Agricultural Establishments (Crop Production)
- 115112 Agricultural Pest Control
- 111421 Nursery and Tree Production
- 115210 Animal Production
- 115310 Forestry and Logging
- 561730 Ornamental & Turf, Rights-of-Way Pest Control
- 321114 Wood Preservation Pest Control
- 541712 Research & Demonstration Pest Control

Support activities for agriculture and forestry

- 115310 Support Activities for Forestry - Pesticide Handling in Forestry
- 115112 Soil Preparation, Planting, and Cultivating - Pesticide Handling on Farms

Commercial Services - Pesticide Applicators:

- 561710 Exterminating and Pest Control Services
- 541690 Agricultural Consulting Services

Administration of Certification Programs by States/Tribal Lead Agencies:

- 924110 Environmental Protection Program Administration
- 926140 Governmental Pest Control Programs, Agricultural Extension

Pesticide Dealers:

- 444220 Retail Nursery, Lawn, and Garden Supply stores
- 424910 Agricultural Chemicals Merchant Wholesalers
- 424690 Other Chemical and Allied Products Merchant Wholesalers

Pesticide and Other Agricultural Chemical Manufacturing:

- 325320 Individuals or entities engaged in activities related to the registration of a pesticide product

**4(b) Respondent Activities**

(i) *Information Collections (ICs)*

The overall estimated potential economic impact of the proposed changes to the regulation is presented in the document entitled “Economic Analysis of Proposed Amendments to 40 CFR Part 171: Certification of Pesticide Applicators” (Economic Analysis), which is available as a part of the official public record for the proposed regulation change. This ICR amendment describes the information collection activities contained in the proposed regulation not currently included in the existing ICR, along with the estimated burden and costs related to those information collection requirements.

In order to comply with the revised rule, all certification plans will need to be revised and submitted to EPA for review and approval. The proposed rule requires training for noncertified applicators applying RUPs under the direct supervision of a certified applicator, recordkeeping of this training, and recordkeeping of RUP sales by pesticide dealerships.

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

This section describes the additional and revised categories of requirements under 40 CFR Part 171, assuming that proposed amendments will become final, that would impact the burden and costs.

- (1) Revision and submission of certification plans for Agency review and approval.  
§171.303, §171.305, §171.307, and §171.311

Authorized agencies with existing certification plans that plan to continue administering an applicator certification program would be required to revise and submit their certification plans to be in compliance with the revised rule, once final. Authorized agencies include states, tribes, territories, and federal agencies authorized by EPA to administer a plan to certify.

Certification plans currently approved by EPA would be valid until 4 years after the effective date of the final rule. Authorized agencies that wish to continue administering a certification program that complies with the revised regulation must submit revised pesticide applicator certification plans for review and approval to EPA within 2 years after the effective date of the final rule. States, tribes, and territories may also need to make legislative changes in order to implement these changes.

EPA-administered certification plans must be revised by the Agency. These plans are for any state or area of Indian country where the Agency administers a plan for the certification of applicators of RUPs because there is no approved certification plan in effect. Currently, EPA administers two certification plans: one for Navajo Indian Country, and one for Indian Country across the United States. Only approved plans will be effective 2 years after the effective date of the final rule.

Authorized agencies may make modifications to their EPA-approved certification program plans. However, substantial modifications to plans need to be approved by EPA prior to making the change. The proposed rule outlines what types of plan changes constitute a substantially modified plan at proposed §171.309. The authorized agency must notify the Agency within 90 days after the modifications become effective or submit the notification along with the annual report, whichever date occurs first.

## (2) Noncertified Applicator Training (§171.201(c))

Certified applicators under programs administered by authorized agencies and EPA-administered programs must provide training to noncertified applicators using RUPs under their direct supervision. At a minimum, the training program must include:

- Format and meaning of information contained on pesticide labels and in labeling, including safety information, such as precautionary statements about human health hazards.
- Hazards of pesticides resulting from toxicity and exposure, including acute and chronic effects, delayed effects, and sensitization.
- Routes by which pesticides can enter the body.
- Signs and symptoms of common types of pesticide poisoning.
- Emergency first aid for pesticide injuries or poisonings.
- How to obtain emergency medical care.
- Routine and emergency decontamination procedures.
- Need for, and proper use of, personal protective equipment.
- Prevention, recognition, and first aid treatment of heat-related illness associated with the use of personal protective equipment.
- Safety requirements for handling, transporting, storing, and disposing of

- pesticides, including general procedures for spill cleanup.
- Environmental concerns such as drift, runoff, and wildlife hazards.
  - Warnings against taking pesticides or pesticide containers home.
  - Washing and changing work clothes before physical contact with family.
  - Washing work clothes separately from the family's clothes before wearing them again.
  - Precautions required to protect children and pregnant women.
  - How to report suspected pesticide illness to the appropriate state agency.
  - Instructions that the certified applicator must provide use-specific instructions for each application to the noncertified applicator(s), including labeling directions, precautions, and restrictions mandated by the specific site; the interrelationship between the characteristics of the use site and conditions of the application, and how to use the application equipment.

In programs administered by authorized agencies, the training includes what EPA requires as well as any additional requirements by the authorized agency. Some states may prohibit the use of RUPs by anyone other than a certified applicator. In these states, no training would be conducted. EPA is aware of 4 states that prohibit the use of RUPs by any person other than a certified applicator (both commercial and private certified applicators); in those states, no training for noncertified applicators would be conducted because they are not qualified to use RUPs.

This training must take place before any noncertified applicator applies an RUP under the direct supervision of the certified applicator. The training qualification must be met annually. Noncertified applicators may be qualified to use RUPs under the direct supervision of certified applicators through the training described above, or through either of 2 alternate ways:

- Currently satisfying training requirements for an agricultural handler under the Worker Protection Standard as proposed at §170.201(c)
- Passing the core exam for commercial applicators as proposed at §171.103(c) within the last 3 years.

### (3) Commercial Applicator Records of Noncertified Applicator Training (§171.201(e))

Commercial applicators who supervise noncertified applicators using RUPs must collect and maintain at the principal place of business, for two years, records of training for any noncertified applicators being supervised. The records must include the following: the trained noncertified applicator's printed name, the date of the training, the name of the person who provided the training, and the supervising certified applicator's name.

In programs administered by authorized agencies, the information recorded includes what EPA requires as well as any requirements by the authorized agency. As discussed above, EPA is aware of four states that prohibit the use of RUPs by anyone other than a certified applicator. In these states, no information would be recorded because no training would be conducted.

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.

(4) Dealer recordkeeping in programs administered by authorized agencies (§171.311(f)(1))

In EPA-administered certification programs, dealers are required to keep records of RUP sales; this requirement exists under the current 40 CFR 171 (See §171.11(g)(2)) and is included in the current ICR. State-administered certification programs use state authority to require dealers to maintain sales records for RUPs, and therefore, are not included in the current certification ICR's paperwork burden estimates.

The proposed rule would require dealers in all certification programs, including state-administered programs, to keep records of the sale of RUPs for 2 years. Dealer records would be maintained at the pesticide dealership. Recordkeeping requirements are proposed to include:

- Name and address of the residence or principal place of business of each certified applicator to whom the restricted use pesticide was distributed or sold, or if applicable, the name and address of the residence or principal place of business of each noncertified person to whom the restricted use pesticide was distributed or sold for application by a certified applicator.
- The certification number on the certification document presented to the seller evidencing the valid certification of the certified applicator authorized to purchase the restricted use pesticide, the State, Tribe or Federal agency that issued the certification document, the expiration date of the certified applicator's certification, and the categories in which the applicator is certified.
- The product name and EPA registration number of the RUP(s) distributed or sold in the transaction, including any applicable emergency exemption or State special local need registration number.
- The quantity of the RUP(s) distributed or sold in the transaction.
- The date of the transaction.

Records of RUP sales are 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 for restricted use.

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.

(iii) *Respondent Activities*

- *Rule Familiarization* – authorized agencies, certified applicators and RUP dealers read and understand 40 CFR 171.
- *Revise Certification Plans*– make necessary changes to the authorized agency certification program to comply with the proposed rule, including regulatory and legislative changes if necessary.

- *Submit Certification Plans*– submit revised certification plan to EPA for review and approval using electronic submission and reporting portal (Certification Plan and Reporting Database).
- *Dealer Recordkeeping in Programs Administered by Authorized Agencies* – record, collect, maintain records of sales of RUPs for a period of two years at the pesticide dealership.
- *Commercial Applicator Records of Noncertified Applicator Training* – commercial applicators who supervise noncertified applicators using RUPs must record, collect and maintain at the principal place of business, for two years, records of training for any noncertified applicators being supervised.
- *Noncertified Applicator Training* – certified applicators must ensure that noncertified applicators using RUPs under their direct supervision. Noncertified applicators must attend training.

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

**5(a) Agency Activities**

Agency activities relate to certification plans as follows:

- *Answer Respondent Questions* – provide information to those requesting it.
- *Review and Approve Certification Plans from Authorized Agencies* – collect information from authorized agencies, review plans, document any formal decisions made.
  - FR notices
  - Review legislative changes
- *Revise EPA-Administered Certification Plans*
- *Store, File, Maintain, and Distribute Information* – compile information into appropriate databases and archive.

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

This information collection amendment applies to authorized agencies and individuals who are certified applicators or dealers of RUPs. 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. Authorized agencies have an obligation for one time reporting to EPA with updated certification plans.

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

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. EPA believes that the records required of certified pesticide applicators and dealers are minimal and would generally be kept by the affected entities for their own use even in the absence of this regulation.

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

There is no set collection schedule for commercial applicators or dealers of RUPs. Commercial applicators must generate records of the training of noncertified applicators under their direct supervision immediately after training and are required to maintain these records for 2 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.

Certification plans are required to be submitted for review and approval by the Agency. States, tribes, territories, and federal agencies must submit plans for review and approval to EPA within 2 years after the effective date of the final rule. All certification plans approved under the current rule would be valid until 4 years after the effective date of the final rule or until superseded by a revised plan approved by EPA. This submission is anticipated as a one-time event, unless an authorized agency makes significant changes to their plan. Significant changes to the plans must be approved by the Agency prior to making the changes.

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

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

In this section, the Agency describes the assumptions and methods used to estimate the total cost and hourly burden estimates for all of the rule requirements, assuming that the proposed amendments become final. Tables 2-7 list the estimated burden hours and costs associated with this ICR. The estimates are based on the information and figures contained in the “Economic Analysis of Proposed Amendments to 40 CFR Part 171 Certification of Pesticide Applicators,” as well as information obtained by the Agency from the U.S. Department of Labor’s Bureau of Labor Statistics (BLS) for wage rates, and U.S. Department of Agriculture’s special tabulation for the number of farms that hire workers and use pesticides based on the number of farms in the 2007 Agricultural Census.

EPA is estimating only the incremental burden imposed upon respondents for compliance with the paperwork requirements established in the final rule. EPA is not estimating, *de novo*, the estimated paperwork burden for compliance with the existing regulation at 40 CFR 171 in this ICR. EPA does assume that authorized agencies and applicators are already in compliance with the regulation at 40 CFR 171, and therefore, believes that there is no additional burden

imposed upon these respondents for complying with the requirements from the existing regulation that are also included in the proposed rule. The current ICR includes certified applicator recordkeeping of RUP applications, recordkeeping and reporting of RUP sales by pesticide dealerships within EPA-administered programs, and annual reporting of certification programs to the Agency. The proposed rule retains these requirements and any changes to these requirements are negligible in burden and costs.

Respondents affected by the collection activities under this ICR are:

- Certified applicators; private and commercial. The number of applicators is based on the Certification Plan and Reporting Database for the years 2008 to 2013 (CPARD, 2014), there are 364,579 commercial applicators and 455,278 private applicators.
- Noncertified applicators under the direct supervision of certified applicators. It is estimated that there are 947,275 noncertified applicators who apply RUPs under the direct supervision of commercial certified applicators, and there are 81,678 noncertified applicators under the direct supervision of private certified applicators.
- RUP dealers. EPA estimates that there are approximately 10,000 retail dealers. According to the Agricultural Retailers Association, there are approximately 9,000 agricultural retailers in the United States. Not all are licensed to sell RUPs. EPA estimates that there are far fewer nonagricultural pesticide retailers licensed to sell RUPs, given that RUPs are generally not labeled for use in residential and other public areas, even by a certified applicator.
- Authorized agencies. Authorized agencies are the entities that are authorized by EPA to administer applicator certification plans under 40 CFR 171. Authorized agencies includes states, territories, federally recognized tribes and federal agencies. In addition to the 50 states, there are 4 plans for the US territories (Puerto Rico, DC, US Virgin Islands, and Pacific Islands), 4 tribal plans, and 5 approved Federal agency certification plans. Federal agencies include DOD, DOE, USDA APHISPPQ, USDA Forest Service (the 2 USDA plans are separate plans), and DOI (the DOI plan covers 3 agencies within DOI BLM, BIA and NPS, but no others). Wage rates vary according to the entity.

Respondent activities that are within the scope of this amendment ICR include:

- Rule familiarization
- Revision and submission of RUP certification plans
- Training of noncertified commercial and private applicators
- Record keeping of noncertified commercial applicators
- Record keeping of RUP sales by for pesticide dealers

The respondent activities are covered in more detail in section 4(b)(iii). The following section, 6(b), includes burden and cost estimates for these respondent activities.

**6(b) Estimating Respondent Costs**

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

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 amendment uses 2013 BLS 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 D). 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.

**Current ICR for 40 CFR 171**

The estimated burden and costs associated with the information collection activities of the current CFR 171 rule is estimated in the ICR “Certification of Pesticide Applicators<sup>2</sup>”. This ICR is being renewed with updated costs and burden. A draft renewal ICR was published in the Federal Register on July 24, 2014. The 60-day public comment period (Docket ID No. EPA-HQ-

<sup>2</sup> See OMB ICR Ref. No. 201502-2070-002 - [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201502-2070-002](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201502-2070-002)

OPP-2014-0446) ended September 22, 2014, with no comments received. The total burden, as estimated in the draft ICR renewal, for annual report activities in terms of hours and cost for respondents is 1,320,254 hours and the total cost for all authorized agencies is \$42,637,865 (Table 1). Once final, changes to these estimates made during the ICR renewal process will be reflected in Table 1.

**Table 1. Current Respondent Annual Burden and Cost Table from the Current ICR\***

<b>Respondent</b>	<b>Total Burden Hours</b>	<b>Total Cost (\$)</b>
States (Table 1)**	4,409	213,156.26
Federal program - certified applicators (Tables 2 and 3)**		
Table 2a	470	15,163.16
Table 2b	121	3,901.04
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	3,437.32
Table 7	37	2,612.58
<b>TOTAL</b>	<b>1,320,254</b>	<b>42,637,865.23</b>

\* Estimates may not add due to rounding. Values may be rounded to the nearest two decimal places, and actual column totals may be slightly higher or lower.

\*\*The tables referred to in Table 1 above in this document are the tables in the current ICR (OMB No.: 2070-0029; EPA No.: 0155.12 – Certification of Pesticide Applicators). Please refer to that ICR for more information.

The following tables illustrate the estimated burden and costs associated with the additional information collection activities of this program that would result from the proposed rule.

### **Rule Familiarization**

The estimated average annual burden in terms of hours and cost for respondents to familiarize themselves with the new rule changes varies by respondent. The estimate is a 3 year average, assuming that more time is spent in the first year to fully familiarize themselves with the respondent with the revised requirements for the certification programs. The total burden hours for all respondents estimated to familiarize themselves with the new rule is estimated to be 415,055 and the total cost is \$13,455,998 (Table 2).

There are three groups of respondents:

- Authorized Agencies with EPA-approved applicator certification plans (includes 50 state, 4 US territory, 4 tribe, and 5 federal agency plans). The Agency estimates that the authorized agencies will spend 4 hours in the first year to familiarize the revised regulation, and 1 hour each for the second and third year covered by this ICR. The average time spent annually is 2 hours.
- Certified applicators: both private and commercial. Certified applicators are assumed to

review the requirements for certified applicators. It is estimated that they will spend 1 hour the first year, and 15 minutes each for the second and third years. The average time spent annually is 30 minutes.

- RUP dealers. RUP dealers are assumed to review the requirements for dealers. It is estimated that they will spend 1 hour the first year, and 15 minutes each for the second and third years. The average time spent annually is 30 minutes.

**Table 2. Rule Familiarization\***

Activity	Respondent Group	Number of Respondents	Total Responses Annually (3 year avg)	Wage Rate (\$/hour)	Per Event Average	Totals		
						Cost (\$)	Burden (hours)	Cost (\$)
Rule Familiarization	Authorized Agencies	63	63	80.18	2.00	160.36	126.00	10,102.68
Rule Familiarization	Certified Applicators-Private	455,278	455,278	32.24	0.50	16.12	227,639.00	7,339,081.36
Rule Familiarization	Certified Applicators-Commercial	364,579	364,579	32.24	0.50	16.12	82,289.50	5,877,013.48
Rule Familiarization	RUP Dealers	10,000	10,000	45.96	0.50	22.98	5,000.00	229,800.00
<b>TOTAL</b>		<b>829,920</b>	<b>829,920</b>				<b>415,054.50</b>	<b>13,455,997.52</b>

\*Estimates may not add due to rounding. Respondents (authorized agencies, certified applicators and RUP dealers) are counted only once.

**Annual Respondent Burden and Cost Estimates to Revise and Submit Certification Plans to EPA for Review and Approval**

Authorized agencies with existing certification plans would be required to revise and submit their certification plans to be in compliance with the revised rule, once final.

In order to implement the revised regulations, laws and regulations relevant to the certification plans may also need to be revised. The Agency assumes that all states and territories with currently EPA-approved certification plans will update their laws and regulations, in addition to revising the certification plan. For each plan revised, 500 hours is estimated to be make the necessary legislative revisions and development of the revised certification plan. EPA estimates that submitting each plan to EPA for review and approval through the CPARD database would take 8 hours per plan.

For states, the total burden is estimated to be 25,400 hours and the total cost is \$1,547,918 (Table 3a).

Federal agencies and tribes do not have to make legislative changes, and thus, less time is assumed to revise the certification plans. Tribes and Federal agencies, however, must revise

their existing certification plans to comply with the revised regulations, resulting in administrative burden. Tribes base their certification plans on recognizing an existing state certification program. Therefore, the tribes will rely on the state regulatory and legislative changes made in order to comply with the rule changes. Federal agencies and tribes also must submit the updated certification plans to EPA for review and approval.

For federal agencies, tribes, and territories authorized to certify applicators, the total burden is estimated to be 1,144 hours and the total cost is \$79,398 (Table 3b).

In addition to the authorized agency certification plans, EPA directly administers 2 certification programs, a national certification plan for Indian Country (79 FR 7185; February 6, 2014) and a certification plan for the Navajo Nation (72 FR 32648; June 13, 2007). The burden and costs to revise these plans is to the Agency and is illustrated in Table 7b. The burden and costs to Indian Country and the Navajo Nation are negligible.

**Table 3a. Burden to States to Revise Regulations and Certification Plans\***

Collection Activities	Annual Burden Hours Per Respondent			TOTALS	
	Senior Technical \$86.53/hr.	Jr. Technical \$59.17/hr.	Administrative \$40.81/hr.	Hours	Cost \$
Revise State Regulations and Plans	100	300	100	500	30,485.00
Submit Plans	0	8	0	8	473.36
<b>TOTAL</b>	<b>100</b>	<b>308</b>	<b>100</b>	<b>508</b>	<b>30,958.36</b>

\*Estimates may not add due to rounding. Respondents (States) are counted only once.

State TOTAL ANNUAL BURDEN: 508 hrs./respondent x 50 respondents = 25,400 hrs.

State TOTAL ANNUAL COST: \$30,958.36/respondent x 50 respondents = \$1,547,918

**Table 3b. Burden to Federal Agencies, Territories and Tribes Authorized to Certify Applicators to Revise and Submit Certification Plans\***

Collection Activities	Annual Burden Hours Per Respondent			TOTALS	
	Senior Technical \$95.91/hr.	Jr. Technical \$70.15/hr.	Administrative \$40.29/hr.	Hours	Cost \$
Revise Plans	16	48	16	80	34,665.00
Submit Plans	0	8	0	8	561.20
<b>TOTAL</b>	<b>16</b>	<b>56</b>	<b>16</b>	<b>88</b>	<b>6,107.60</b>

\*Estimates may not add due to rounding. Respondents (federal agencies, territories and tribes) are counted only once.

Respondent TOTAL ANNUAL BURDEN: 88 hrs/respondent x 13 respondents = **1,144 hrs.**

Respondent TOTAL ANNUAL COST: \$6,107.60/respondent x 13 respondents = **\$79,398.80**

**Training of Noncertified Applicators –Commercial and Private Applicators  
Training of Noncertified Applicators and Commercial Applicator Recordkeeping**



Under the proposed rule revisions, noncertified applicators under the direct supervision of certified applicators could be required to receive pesticide safety training. This requirement would be fulfilled in 3 ways – by attending noncertified applicator training, or taking the core exam under proposed 40 CFR 171, or attending pesticide safety training for handlers under the Worker Protection Standard (WPS) (40 CFR 170). It is assumed that all noncertified applicators who work as agricultural handlers will have taken the WPS handler training, and therefore, would not take the noncertified applicator training. Although the option to take an exam is available, it is assumed that all other noncertified applicators would opt to take the training.

To calculate burden and costs, the respondents are separated into private and commercial applicator categories.

EPA estimates that there are 947,275 noncertified applicators (trainees) on the commercial side receiving one hour of training per year, and EPA estimates that there are about 364,579 commercial applicators (trainers) providing the training. The total annual respondent burden for commercial applicators to train noncertified commercial applicators and to record and maintain records of the training recordkeeping is 1,336,159.27 hours and total cost of \$38,606,636.76 (Table 4a). Commercial applicators are also required to keep records of RUP applications; this requirement exists under the current 40 CFR 171 and, therefore, is not costed in this ICR amendment but is included in the baseline total for the existing ICR (Table 1). Changes to application recordkeeping requirements in the proposed rule are negligible.

For private establishments, EPA estimates there are approximately 27,930 noncertified applicators (trainees) receiving 1 hour of training per year, and that the ratio of trainer to trainee is 1:1. EPA estimates that there are a total of 81,678 noncertified applicators, but the majority (53,748) are employed on farms that produce crops and will receive pesticide handler training under the Worker Protection Standard. The total annual respondent burden for private applicators to train noncertified private applicators is 55,860 hours and total cost of \$2,777,079.90. For private applicators training noncertified private applicators there is no record keeping requirement (Table 4b).

**Table 4a. Training of Noncertified Applicators under the Supervision of Commercial Applicators**

Activity	Respondent Group	Number of Respondents	Total Responses Annually	Wage Rate	Per Event Average		TOTALS	
			(3-yr. avg.)	(\$/hr.)	Burden (hours)	Cost (\$)	Burden (hours)	Cost (\$)
Train noncertified commercial applicators (1)	Noncertified Applicators under Supervision	947,275	947,275	27.52	1	27.52	947,275	26,069,008
	Commercial Applicators	364,579	364,579	32.24	1	32.24	364,579	11,754,027
Record and maintain records of	Commercial Applicators	364,579	364,579	32.24	0.067	2.15	24,305.27	783,602

noncertified applicator training								
<b>TOTAL</b>		<b>1,311,854</b>	<b>1,311,854</b>		<b>2.067</b>	<b>61.91</b>	<b>1,336,159.27</b>	<b>38,606,636.76</b>

\*Estimates may not add due to rounding. Respondents (noncertified applicators under the supervision of commercial applicators) are counted only once.

**Table 4b: Training of Noncertified Applicators under the Supervision of Private Applicators**

Activity	Respondent Group	Number of Respondents	Total Responses Annually	Wage Rate (\$/hr.)	Per Event Average		TOTALS	
			(3-yr. avg.)		Burden (hours)	Cost (\$)	Burden (hours)	Cost (\$)
Train noncertified applicators	Private Applicators	27,930	27,930	77.94	1	77.94	27,930	2,176,864.20
Attend noncertified training	Noncertified Applicators	27,930	27,930	21.49	1	21.49	27,930	600,215.70
<b>TOTAL</b>		<b>55,860</b>	<b>55,860</b>				<b>55,860</b>	<b>2,777,079.90</b>

\*Estimates may not add due to rounding. Respondents (noncertified applicators under the supervision of private applicators) are counted only once.

### Record Keeping For RUP Dealers

EPA estimates that there are approximately 9,000<sup>3</sup> agricultural retail establishments that sell RUPs and an additional 1,000 retail establishments that sell RUPs to non-agricultural establishments. EPA assumes for this estimate that all 10,000 establishments are licensed to sell RUPs. Each RUP dealer is estimated to have approximately 1 RUP sale per week for 9 months of the year, for a total of 39 RUP sales transactions per year. Each transaction is estimated to require approximately 3 minutes. The estimated average annual burden in terms of hours and cost per dealer for RUP dealers to comply with new record keeping requirements is approximately 2 hours and \$900. The total burden for all RUP respondents is estimated to be 19,500 hours and the total cost is \$896,220 (Table 5).

In Federal programs for Indian Country, where EPA administers the certification program, dealers are also required to keep records; this requirement already exists under the current 40 CFR 171 and therefore is not costed in this ICR amendment but is included in the baseline total for the existing ICR (Table 1).

**Table 5. Recordkeeping for States with RUP Dealers\***

Collection Activities	Annual Burden and Cost Per Respondent		
	Sales Mgr. Hours	Total	Cost

3 Personal communication: 9,000 agricultural retailers per Richard Gupton Agricultural Retailers Association (personal communication with N. Fitz EPA sent via email to TJ Wyatt 7/31/14).

	\$45.96/hr.	Hours	\$
Create information	0.02	0.02	0.919
Store, file or maintain the information	0.03	0.03	1.38
<b>TOTAL</b>	<b>0.05</b>	<b>0.05</b>	<b>2.30</b>

\*Estimates may not add due to rounding. Respondents (RUP dealers) are counted only once.

TOTAL ANNUAL BURDEN: (0.05 hrs./respondent x 10,000 respondents) x 39 responses per respondent = **19,500 hrs.**

TOTAL ANNUAL COST: (\$2.30/respondent x 10,000 respondents) x 39 responses per respondent = **\$896,220.**

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

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

**The Current ICR.** The Agency has estimated the annual burden to the federal government to review the submissions of annual reports and applications for certification in EPA-administered programs. The Agency estimates the annual burden to the Federal government to review the registrants' training material submissions for anthrax-related products.

The Agency estimates the total annual burden to the Agency associated with the certification of pesticide applicators program and anthrax-related products training materials to be 2,335 hours. The total annual cost to the Agency for these reviews is \$188,035. (Table 6).

**Table 6. Current ICR Estimation of Agency Annual Burden and Cost\***

Agency	Total Burden Hours	Total Cost (\$)
EPA Regional Offices (Table 8a)**	1,998.10	161,014.50
EPA Headquarters (Table 8b)**	262	21,007.16
EPA Headquarters – review of registrant training materials for anthrax-related products (Table 8c)**	75	6,013.50
<b>TOTAL</b>	<b>2,335.10</b>	<b>188,035.16</b>

\* Estimates may not add due to rounding.

\*\* The burden hours and costs in Table 6 above are from the current ICR (OMB No.: 2070-0029; EPA No.: 0155.12 – Certification of Pesticide Applicators). Please refer to that ICR, Tables 8a, 8b, and 8c, for more information regarding the current total burden and costs estimates.

### Agency Burden and Cost Estimate for Rule Amendment - Burden to Headquarters for Review and Approval of Revised Certification Plans

The EPA's burden to review and approve the revised certification plans is shown below. There are 63 authorized agencies (50 states plus 4 territories, 4 tribes and 5 federal agencies) that are estimated to be required to submit plans to EPA for the Agency to review. The burden for EPA to review certification plans submitted by states, territories and tribes is estimated at 80 hours per plan, and includes reviewing the certification plan and legislative changes. EPA's time burden to revise federal certification plans is estimated at 40 hours because federal plans have fewer requirements than state plans and the review does not include any legislative changes. This review and approval of certification plans would be a one-time activity, not an

annual one. The total Agency burden to review all authorized agency certification plans is 4,840 hours and the total cost is \$388,071.20 (Table 7a).

**Table 7a. Agency Burden and Cost Estimates - Burden to Headquarters for Review and Approval of Revised Certification Plans Submitted by Authorized Agencies**

Collection Activities	Number of Respondents	Tech. Hours \$80.18/hr	Total Burden Hours	Total Cost \$
Review State, Territory and Tribal Plans	58	80	4,640	372,035.20
Review Federal Agency Plans	5	40	200	16,036
<b>TOTAL</b>	<b>63</b>		<b>4,840</b>	<b>388,071.20</b>

\*Estimates may not add due to rounding.

TOTAL ANNUAL BURDEN: (80 hrs./state, territory or tribal plan x 58 state, territory and tribes = 4,640 hours) + (40 hours / federal agency plan x 5 federal agencies = 200 hours) Total hourly burden =4,840 hours.

TOTAL ANNUAL COST: (\$6,414.40/state, territory or tribal plan x 58 state, territory and tribes= \$372,035.20) + (\$3,207.20/federal agency plans x 5 federal agencies = \$16,036) Total cost = \$388,071.20

NAICS 999100 - Federal Executive Branch Standard Occupational Codes:  
 Technical: 19-0000, Life, Physical, and Social Science Occupations

**Agency Burden and Cost Estimate for Rule Amendment - Burden to Headquarters for Revision of EPA-Administered Certification Plans**

Currently there are 2 EPA-administered certification plans (Indian Country and Navajo Nation) that the Agency would need to revise. The total burden to perform this activity are 80 hours and the cost is approximately \$6,539 (Table 7b).

**Table 7b. Agency Burden and Cost Estimates – Headquarters to Revise EPA-Administered Certification Plans**

Collection Activities	Annual Burden Hours Per Respondent			TOTALS	
	Senior Technical \$121.41/hr.	Jr. Technical \$80.18/hr.	Administrative \$45.18/hr.	Hours	Cost \$
Revise EPA-Administered Certification Plans	10	12	10	32	2,628.06
Submit Plans	0	8	0	8	641.44
<b>TOTAL</b>	<b>10</b>	<b>20</b>	<b>10</b>	<b>40</b>	<b>3,269.50</b>

\*Estimates may not add due to rounding. Respondents are counted only once.

Agency TOTAL ANNUAL BURDEN: 40 hrs./response x 2 responses = 80 hrs.

Agency TOTAL ANNUAL COST: \$3,269.50/respondent x 2 responses = \$6,539

**6(d) Change in Burden Hours and Cost Table**

The estimated average annual burden and cost to respondents due to the amendments to

the Certification rule is approximately 1,853,117.77 hours and the total estimated cost is \$57,363,250.98 (Table 8a).

**Table 8a. Incremental Increase in Annual Burden and Cost to Respondents\***

<b>Respondent</b>	<b>Total Burden Hours</b>	<b>Total Cost (\$)*</b>
Rule Familiarization (Table 2)	415,054.50	13,455,997.52
Revision of State Certification Plans (Table 3a)	25,400	1,547,918.00
Revision of Other Authorized Agency Certification Plans – Federal Agencies, Territories and Tribes (Table 3b)	1,144	79,398.80
Noncertified Applicator Training and Recordkeeping –Commercial Applicators (Table 4a)	1,336,159.27	38,606,636.76
Noncertified Applicator Training - Private Applicator (Table 4b)	55,860	2,777,079.90
RUP Sales Recordkeeping (Table 5)	19,500	896,220.00
<b>TOTAL</b>	<b>1,853,117.77</b>	<b>57,363,250.98</b>

\*Estimates may not add due to rounding.

The Agency’s change in burden from the current Certification ICR to include the proposed certification rule amendments is an increase of 4,920 hours and the cost is \$394,610.20 (Table 8b).

**Table 8b. Incremental Increase in Annual Burden and Cost to Agency\***

<b>Agency</b>	<b>Total Burden Hours</b>	<b>Total Cost (\$)</b>
Agency Review and Approval of Certification Plans (Table 7a)	4,840	388,071.20
EPA-Administered Plans Agency Plans (Table 7b)	80	6,539.00
<b>TOTAL</b>	<b>4,920</b>	<b>394,610.20</b>

\*Estimates may not add due to rounding.

The total respondent burden and respondent costs from the current Certification ICR and the proposed certification rule amendments is 3,173,371.60 hours and the cost is \$100,001,116.20. Total burden and costs to the Agency are 7,255 hours and \$582,645.36 (Table 9)

**Table 9. Summary of Total Annual Burden and Cost due to Proposed Rule Change\***

<b>Respondent</b>	<b>Total Burden Hours</b>	<b>Total Cost (\$)</b>
Current ICR Respondent Burden (Table 1)	1,320,253.83	42,637,865.23
Rule Respondent Burden (Table 8a)	1,853,117.77	57,363,250.98
<b>TOTAL Respondent Burden and Cost</b>	<b>3,173,371.60</b>	<b>100,001,116.20</b>
<b>Agency</b>		
<b>Agency</b>	<b>Total Burden Hours</b>	<b>Total Cost (\$)</b>
Current Agency (Table 6)	2,335	188,035.16
Agency Burden Rule (Table 8b)	4,920	394,610.20
<b>TOTAL Agency Burden and Cost</b>	<b>7,255</b>	<b>582,645.36</b>

\*Estimates may not add due to rounding.

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

The change in burden for the total estimated respondent burden is a net increase of 1,853,117.77 hours. This increase in hours reflects the addition of proposed programmatic changes. The baseline burden estimate is from the draft renewal of current ICR, and includes updates of burden estimates, including changes in the number of respondents and the number of responses provided by those respondents whose certification programs are directly overseen by EPA.

#### **6(f) Burden Statement**

The total annual respondent burden associated with this ICR amendment is estimated to be 1,853,117.77 hours, and the total annual respondent cost associated is \$57,363,250.98.

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, revising and submitting certification plans, conducting or attending noncertified applicator training, generating recordkeeping, 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-2011-0183, which is available for online viewing at [www.regulations.gov](http://www.regulations.gov), or in person at the Office of Pesticide Programs Regulatory Public Docket Center (EPA/DC), EPA West Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket 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-2011-0183 and OMB Control No. 2070-[NEW], to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), or by mail to: OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, 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-2011-0183. 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 available online at the National Archives and Records Administration's [Electronic CFR Website](#)
- Attachment D:** Wage Rate Tables (Commercial Pesticide Applicators, Pesticide Registrants, Dealers, State Government, and EPA) from the Economic Analysis for the Proposed Rulemaking