

U.S. Environmental Protection Agency

Information Collection Request

EXECUTIVE SUMMARY

Identification of the Information Collection – Title and Numbers

Title:	Certification of Pesticide Applicators
EPA ICR No.:	0155.17
OMB Control No.:	2070-0029
Docket ID No.:	EPA-HQ-OPP-2021-0288

Abstract

This information collection request (ICR) addresses the paperwork activities performed by businesses, individuals, and regulators to comply with certification and training requirements associated with certifying applicators to use restricted use pesticides (RUPs).

The Environmental Protection Agency (EPA) administers certification programs for pesticide applicators under section 11¹ of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (Ref.1). FIFRA allows EPA to classify a pesticide as “restricted use” if the pesticide meets certain toxicity or risk criteria. The Certification of Pesticide Applicators (CPA) regulations in 40 CFR part 171² (Ref. 2) include procedures for certification programs for states, United States (U.S.) territories, federal agencies, or Indian tribes who wish to develop and implement their own certification plans and programs, after obtaining EPA approval.

Due to the potential for improperly applied RUPs harming 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.

In 2017³ EPA amended regulations at 40 CFR part 171 which help ensure that there is:

¹ 7 U.S.C. 136i - FIFRA Section 11 7 U.S.C. 136i - FIFRA Section 11

² 40 CFR 171 - Certification of Pesticide Applicators

³ 2017 CPA Final Rule (82 FR 952)

- 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, and
- the burden to states, the District of Columbia, territories, tribes, and federal agencies to develop and/or modify certification plans and programs as needed to comply with the regulatory requirements.

All 50 states; five territories (American Samoa, Guam, Commonwealth of the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands); the District of Columbia; and five Tribal jurisdictions (the Santee Sioux Tribe of Nebraska, the White Earth Band of the Minnesota Chippewa Tribe, the Cheyenne River Sioux Tribe, the Three Affiliated Tribes of the Fort Berthold Reservation, and the Prairie Band Potawatomi Nation) administer applicator certification programs within their jurisdictions. Five federal agencies also implement their own certification plans for their employees, which include the U.S. Department of Defense (DoD), the U.S. Department of the Interior's Bureau of Land Management (DOI/BLM), the U.S. Department of Energy's Bonneville Power Administration (DOE/BPA), the U.S. Department of Agriculture's Animal and Plant Health Inspection Service/Plant Protection and Quarantine (USDA APHIS/PPQ), and the USDA Forest Service. An agency's certification plan must be approved by EPA before it can be implemented. Agencies authorized by EPA to administer a certification program are collectively referred to in this document as "certifying authorities." As of January 2025, there are a total 66 state, territory, tribal, and federal certification plans approved by EPA. Additionally, EPA directly implements an EPA Plan for Federal Certification of Applicators Within Indian Country (EPA Plan)¹. Under certifying authorities' certification programs, RUP dealerships are not required to report their dealership information and RUP sales directly to EPA.

In areas where no certifying authority has jurisdiction, EPA may administer a certification program directly, called an EPA-administered applicator certification program. EPA-administered 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 2007 and in 2014, the Agency had implemented EPA-administered applicator certification programs for Indian country⁴ and for Navajo Nation (79 FR 7185-89)⁵, respectively. Under the EPA Plan, dealerships operating in Indian country are required to report their dealership and individual business names and addresses to EPA Regional offices. In 2023, EPA updated its EPA Plan (88 FR 68604) to comply with the 2017 CPA Rule, thereby superseding

⁴ 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.

⁵ EPA resource directory for the *Federal Certification to Apply Restricted Use Pesticides in Indian Country* (<https://www.epa.gov/pesticide-applicator-certification-indian-country> accessed on November 21, 2017)

previous versions of the EPA-administered plans for Indian country. The Navajo Nation Plan, however, is no longer in effect and has transitioned to be covered by the 2023 EPA Plan.

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 (i.e., 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.

Summary Total Burden and Costs

Information Collection	Number of Respondents	Annual Number of Responses	Responses per Respondent	Annual Time Burden (Hours)	Annual Cost Burden (Dollars)
Rule Familiarization (Certifying Authorities and Private Entities – Applicators and RUP Dealers)	830,597	830,597	1	207,699	\$15,187,681
Modification of State and Territories Certification Plans	56	56	1	119,560	\$9,591,542
Modification of Other Certifying Agency Plans (Fed. Agencies* and Tribes)	10	10	1	720	\$77,195
Annual Reports on Certification and Training from Certifying Authorities*	66	66	1	5,105	\$330,409
Application for Federal Pesticide Applicator Certification in Indian Country	657	657	1	112	\$5,384
Private Applicator Training Option for EPA-Administered Program Certification (Indian Country)	45	45	1	73	\$3,499
Commercial Applicators in Federal Programs (Indian Country) for Recordkeeping for RUP Applications	414	414	1	2,914	\$140,459
Commercial Applicators and Firms under Certifying	449,014	449,014	1	1,391,944	\$67,093,776

Authorities' Programs for Recordkeeping for RUP Applications					
Recordkeeping for RUP Dealers under Certifying Authorities' Programs	17,226	3,359,070	195	167,954	\$9,437,561
Dealer Recordkeeping for RUP Sales in Indian Country	49	1,911	39	96	\$ 5,369
Dealers in Indian Country - Reporting Dealership Name and Address Change	16	16	1	16	\$899
Commercial Applicators - Training of Noncertified Applicators and Related Recordkeeping **	1,367,906	1,367,906	1	1,397,841	\$59,395,828
Noncertified Applicators -Training**	56,183	56,183	1	56,184	\$ 4,296,469
Anthrax-related products: Training and Examination Materials (Registrants)	2	2	1	50	\$4,557
Anthrax-related products: Recordkeeping (Registrants)	2	2	1	37	\$3,436
Total Respondent	2,722,243	6,065,949		3,350,305	\$165,574,064
Total Agency				3,684	\$394,984

SUPPORTING STATEMENT A

1. NEED AND AUTHORITY FOR THE COLLECTION:

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

EPA needs the data from this information collection activity to ensure that RUPs are only purchased and used by certified applicators, or individuals under their direct supervision. A certified applicator is a person who has demonstrated competency in the safe handling and use 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)⁶ (Ref. 3), 11, and 25 (Ref. 4) 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. RUPs are those pesticides which, absent additional regulatory restrictions, may cause unreasonable adverse effects on people or the environment. Pesticides classified as RUPs 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. 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), other jurisdictions including territories, tribes and other federal agencies are also certifying authorities.

In accordance with FIFRA Section 25, the EPA issued a final rule in 2017 to revise 40 CFR part 171, to improve these protections. The regulations in 40 CFR part 171 include procedures for certification programs for states, U.S. territories, federal agencies, or tribes that wish to develop and implement their own certification plans and programs. After obtaining EPA approval on a certification plan, certifying authorities may need to modify those certification plans and programs. Substantial modifications to certification plans need to be approved by the EPA prior to making the change. Other types of modifications need to be submitted to the EPA for review within 90 days after the modification becomes effective or by the time of annual reporting, whichever comes first. Additionally, EPA has authority to directly administer certification programs in areas with no approved certification program in place.

RUP applicators, including certified applicators and noncertified applicators using RUPs under the direct supervision of certified applicators, may be exposed to a wide range of pesticides and pesticide residues, with different toxicities and risks, as part of their occupation. Such exposure can pose significant short- and long-term health risks. 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. 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 ensuring the competency of applicators applying RUPs, thereby reducing exposure. Overall, the weight of evidence suggests that these paperwork activities included in the regulation should result in reduced incidents of negative effects from RUP exposure to applicators, the public, and the environment.

The regulation 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

⁶ 7 U.S.C. 136(d) - FIFRA Section 3(d)

pesticide exposure or how to protect themselves and others from RUP exposure. The regulation also requires that a commercial applicator supervising a noncertified applicator maintains records of the training provided. The training and recordkeeping are intended to improve protections for noncertified applicators, the public, and the environment.

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

EPA issued a Pesticide Registration Notice (PR Notice), on September 3, 2008, (73 FR 51467) (Ref. 5) 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," 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. PRACTICAL UTILITY/USERS OF THE DATA:

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the Agency has made of the information received from the current collection.

Certifying authorities that want to make changes to their EPA-approved certification plan must submit any modifications to the EPA for review and approval. To facilitate the submission of this information, EPA requests certification authorities to submit a form indicating the type of modification, a description of the modification being made, and a copy of the sections of the plan being modified with the changes clearly identified (Attachment A). This information is necessary for EPA to review the changes being made to comply with the regulation.

In the EPA administered plan, 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. Certifying authorities use their state or tribal authority to obtain this information.

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 certifying authority) certification programs use their authorities to require dealers to maintain sales records for RUPs, which 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 EPA-administered programs. EPA monitors these records to ensure 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.

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. Records of this training, for applicators under the supervision of commercial applicators, should increase the likelihood of appropriate training occurring, thereby reducing misuse and exposure. RUP application records are also required for certified commercial applicators under programs run by certifying authorities. 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 certifying authorities as a monitoring tool to develop overall data on pesticide activities for OMB, Congress, and others; to distribute EPA FIFRA grant funds to participating certifying authorities; 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 certifying authorities (e.g., Department of Homeland Security, DoD, 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. USE OF TECHNOLOGY:

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Certifying authorities: Certifying authorities must submit their plans or plan modifications to the EPA. EPA has created a form that certifying authorities can fill out that assists them in providing the necessary information to the EPA so that modifications can be reviewed and approved. These forms will be available on the EPA website and certifying authorities may submit them via electronic mail to their relevant EPA regional offices.

Annual reports from certifying authorities 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- to 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 (CPARD)*⁷) has been used by all states since 2006. Conditions for the FIFRA cooperative agreement with certifying authorities 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.

⁷ The Certification Plan and Annual Reporting Database is publicly available at: <https://www.epa.gov/pesticide-worker-safety/resources-states-and-educators-use-training-pesticide-applicators>

Dealership information: Under the EPA Plan in Indian country, starting in 2014 and revised in 2023, RUP dealers are required to report each dealership's name and address to the appropriate EPA Regional offices. EPA estimates there are 49 RUP dealers under this EPA Plan.

Applicators: The certification application form is used as an initial reference point for individuals to be certified to apply RUPs in tribal jurisdictions covered by the EPA Plan, provided they already possess an appropriate RUP certification under another certifying authority's EPA-approved certification plan. In addition to basic questions about the certification desired, the forms require identification information such as name, address, date of birth. Applicants under the EPA Plan mail completed forms to the respective EPA Regional office, which compiles and maintains data on program operations. EPA Headquarters compiles the information from all EPA Regional offices and publishes the applicators' name and address on its website. The public may access the information from EPA's website⁸.

Private applicators certified under the EPA Plan have the option of taking an EPA-developed course, which uses auto-generated codes 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.

4. EFFORTS TO IDENTIFY DUPLICATION:

Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

EPA is the only federal agency with the authority to review and approve certification plans and programs and any modifications made to EPA-approved plans and programs. EPA is the only federal agency with the authority to establish requirements for the certification of RUP applicators.

EPA only requires recordkeeping for commercial applicators. USDA had regulations which impacted certified applicators; those regulations required private applicators to maintain records regarding the application of RUPs. The records required by USDA under 7 CFR 110 were more specific than those required by EPA under 40 CFR 171. However, the USDA regulations have been rescinded, effective on July 11, 2025 (90 FR 20083). EPA will not be requiring private applicators to maintain records in light of this rescission because FIFRA prohibits EPA from

⁸ <https://www.epa.gov/pesticide-applicator-certification-indian-country>

requiring private applicators to keep records or make reports. Consequently, no duplication of requirements exists with regard to applicator recordkeeping.

All 50 states and other certifying authorities currently administer the certification program based on individual certification plans that are approved by EPA. Under the FIFRA cooperative agreement with EPA, states and other certifying authorities are required to submit annual reports that describe program activity. The reports detail the number of applicators certified, which is an important piece of information as the EPA funding 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 certifying authorities that submitting information annual reporting information through CPARD satisfies the certification-related reporting requirements under the cooperative agreement.

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.

5. MINIMIZING BURDEN ON SMALL ENTITIES:

If the collection of information impacts small businesses or other small entities, describe the methods used to minimize burden.

Most of 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 business's and applicator's own use even in the absence of this regulation. Under the EPA Plan for Indian country, 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 of the respondents (certified applicators, pesticide dealers) are likely small entities. However, the information collected and the recordkeeping required is the minimum required by regulation and 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 a certifying authority with a completed form to receive their federal certification (Attachment B).

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 (Ref. 6).

6. EFFECTS OF LESS FREQUENT COLLECTION:

Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Whenever certifying authorities need to make modifications to their EPA-approved certification plans, certifying authorities are required to submit those modifications to EPA for review and approval. This process occurs only on an as-needed basis. If certifying authorities do not submit their modifications to the EPA, then EPA would be unable to ensure that the certifying authorities' certification plans are meeting the regulatory requirements in 40 CFR part 171. If the modification does not meet the regulatory requirements, then that would increase the risk of unreasonable adverse effects from RUP use.

Certifying authorities'⁹ 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 certifying authorities' annual cooperative agreement 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 certifying authorities. 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.

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

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 infrequent. Accordingly, less frequent collection of data would not meet the EPA's needs.

⁹ "Certifying Authorities" are defined in section 1(b) of this ICR as EPA-authorized agencies of States and Indian tribal governments as well as Federal agencies.

7. GENERAL GUIDELINES:

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The proposed collection does not create special circumstances requiring justification under 5 CFR 1320.5.

8. PUBLIC COMMENT PERIOD AND CONSULTATIONS:

8a. Public Comment

If applicable, provide a copy and identify the date and page number of publication(s) in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken in response to the comments. Specifically address comments received on cost and hour burden.

Pursuant to 5 CFR 1320.8(d), EPA published a notice in the *Federal Register* on November 18, 2025 (90 FR 51748; FRL-12692-01-OCSP), announcing the planned renewal of this information collection activity, soliciting public comment on specific aspects of the ICR and providing a 60-day public comment period. No comments on the substance of the proposed information collection were received in response to the Federal Register notice.

8b. Consultations

Describe efforts to consult with persons outside EPA to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or report.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The EPA consulted 7 stakeholders, specifically asking them for their assessment of the regulatory burden estimates expressed by the Agency in this ICR (Attachment C). The stakeholders consulted were:

- 1) Colorado Department of Agriculture
- 2) Delaware Department of Agriculture
- 3) New Jersey Department of Environmental Protection
- 4) New York Department of Environmental Conservation

- 5) Office of the Indiana State Chemist
- 6) Pennsylvania Department of Agriculture
- 7) Tennessee Department of Agriculture

Stakeholder Comments:

Of those consulted, EPA received 2 comments from stakeholders. The two stakeholder comments received affirmed the Agency's assumptions related to burden and supported the inclusion of a form for submission of modifications to EPA-approved Pesticide Applicator Certification plans.

9. PAYMENTS OR GIFTS TO RESPONDENTS:

Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts are provided to respondents.

10. PROVISIONS FOR PROTECTION OF INFORMATION:

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a system of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

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.

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 publishes only the name, zip code and

certification information on its website for certified applicators of the EPA Federal Plan for Indian country.

11. JUSTIFICATION FOR SENSITIVE QUESTIONS:

Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The information collection activities do not include questions of a sensitive nature.

12. RESPONDENT BURDEN HOURS AND LABOUR COSTS:

Provide estimates of the hour burden of the collection of information.

- *Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.*
 - *If this request for approval covers more than one form, provide separate hour burden estimates for each form and the aggregate hour burdens.*
 - *Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included as O&M costs under non-labor costs covered under question 13.*
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12a. RESPONDENTS/NAICS CODES

Respondents, including individuals and entities, for this ICR include

- Certifying authorities with EPA-approved applicator certification plans. There are a total of 66 certifying authorities: 50 states; 5 U.S. territories, including the District of Columbia; 5 tribes, and 5 federal agencies, not including EPA.
- Certified applicators (both private and commercial). Based on data submitted by certifying authorities, EPA estimates there to be 364,291 private applicators and 449,014 commercial applicators. Of which, there are 657 applicators (414 commercial and 243 private applicators) who have applied for certification in Indian Country using a current RUP certification from another jurisdiction, and another 45 private applicators who take the optional private applicator training to become certified under the EPA-administered program in Indian Country.
- Non-certified applicators working under the supervision of certified applicators. EPA estimates that there are 918,892 non-certified applicators working under the supervision of commercial applicators, assuming an average of three per certified applicator. EPA

estimates that there are 28,092 non-certified applicators working under the supervision of private applicators based on the number of farms that are likely to employ an applicator considering the type of farm (primarily large fruit and vegetable farms). Pesticide dealers. EPA estimates that there are 17,226 retail establishments that sell RUPs, including 39 based in Indian Country.

Table 1: Respondent and NAICS Codes

Respondent	NAICS Code
State Governments	999200
Federal Agencies	999100
Farmers and Ranchers	115000
Pesticide Handlers and Applicators	115000
Equipment and Supplies Retailers	444200

12b. INFORMATION REQUESTED

EPA has developed detailed narrative and tabular descriptions of all collection activities, information collected, the respondent populations and response counts as well as respondent and Agency burden and labor costs in Attachment E -- included as a supplementary document to this ICR submission. For the sake of brevity, only summary level information is being provided in the supporting statement for questions 12 and 14.

12c. RESPONDENT ACTIVITIES AND FREQUENCY

A description of all respondent activities and frequency is reflected in Attachment E.

12d. RESPONDENT BURDEN HOURS AND LABOR COSTS

A description of all estimates of the respondent burden (hour and costs) and calculation is reflected in Attachment E.

Table 2. Annual Burden and Cost, by activity

Activity		Total Burden Hours	Total Cost (\$)
Rule Familiarization (Table 1)		207,699	\$15,187,681
Certification Plan Modifications by Certifying Authorities (Tables 2a and 2b)			
States, D.C., Territories	Table 2a	119,560	\$9,591,542
Federal Agencies and Tribes	Table 2b	720	\$77,195

Certifying Authorities' Annual Reporting (Table 3)		5,105	\$330,409
Federal certification program - certified applicators (Tables 4a and 4b)			
EPA Certification Form	Table 4a	112	\$5,384
Private Applicator Training Certification Option	Table 4b	73	\$3,499
Commercial Applicator Recordkeeping (Tables 5 and 6)			
RUP Application Records under EPA-Administered Programs	Table 5	2,914	\$140,459
RUP Application Records under Certifying Authorities' Programs	Table 6	1,391,944	\$67,093,776
RUP Dealer Recordkeeping (Tables 7, 8a, and 8b)			
RUP Sales - Authorized Agency Programs	Table 7	167,954	\$9,437,561
RUP sales for EPA-Administered program	Table 8a	96	\$5,369
RUP dealer burden for reporting informational changes - EPA Administered program	Table 8b	16	\$899
Noncertified Applicator Training (Tables 9a and 9b)			
Noncertified applicators under the supervision of Commercial Applicators	Table 9a	1,397,841	\$59,395,828
Noncertified applicators under the supervision of Private Applicators	Table 9b	56,184	\$4,296,469
Anthrax-related products - registrants (Tables 10 and 11)			
Training and Examination Materials	Table 10	50	\$4,557
Recordkeeping	Table 11	37	\$3,436
Respondent Total		3,350,305	\$165,574,065

Source: EPA estimations, see Attachment E, Table 14. Total may not add due to rounding.

13. RESPONDENT CAPITAL AND O&M COSTS:

Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which

costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There are no operational and/or maintenance costs.

14. AGENCY COSTS:

Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

14a. AGENCY ACTIVITIES AND FREQUENCY

EPA has developed detailed narrative and tabular descriptions of all collection activities, information collected, the respondent populations and response counts as well as respondent and Agency burden and labor costs in Attachment E -- included as a supplementary document to this ICR submission. For the sake of brevity, only summary level information is being provided in the supporting statement for questions 12 and 14. **14b. AGENCY BURDEN AND LABOR COST**

A description of all estimates of the Agency burden (hour and costs) and calculation is reflected in Attachment E.

14c. AGENCY NON-LABOR COSTS

There are no non-labor Agency costs.

14d. AGENCY TOTAL COSTS

Table 3. Bottom Line Agency Annual Burden and Cost Table

Agency	Total Burden Hours	Total Labor Cost (\$)
EPA Review/Approval of Authorized Agency Plans (Table 12a)	1,270	\$135,786
EPA-Administered Certification Plans (Table 12b)	79	\$8,500
EPA Regional Offices (Table 13a)	1,998	\$214,666
EPA Headquarters (Table 13b)	262	\$28,013
EPA Headquarters – review of registrant training materials for anthrax-related products (Table 13c)	75	\$8,019
Agency Total	3,684	\$394,984

Source: EPA estimations, see Attachment E, Table 14. Total may not add due to rounding.

15. CHANGE IN BURDEN:

Explain the reasons for any program changes or adjustments reported on the burden worksheet.

There is a decrease of 309,989 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease primarily reflects EPA's updating of burden estimates for this collection based upon respondents already having some familiarity with the regulations and certifying authorities having completed the more burden-intensive process of updating certification plans to comply with the updated 2017 requirements and shifting into the implementation phase of updating their certification programs. During this phase, certifying authorities may experience some paperwork burden if modifications to approved plans are needed, though these changes would only occur on an as-needed basis and are more limited in scale compared to the previous burden estimates. Additionally, EPA's estimates include updates to the number of total certified applicators, and associated noncertified applicators under their supervision, based on information reported by certifying authorities in their annual reports to the Agency. These changes are adjustments.

16. PUBLICATION OF DATA:

For collections whose results will be published, outline the plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

There is no set collection schedule for commercial applicators to create or check records of training of noncertified applicators they supervise, or dealers of RUPs to create records of sales.

These records are created for each occurrence. Commercial applicators must generate, or verify the existence of, records of the training of noncertified applicators under their direct supervision immediately after training, or prior to each RUP use. These records are required to be maintained for two years from the date of an RUP application. Similarly, dealer records of RUP sales are required to be maintained for two years. Although the commercial applicator records and the RUP dealer records are maintained locally and are not required to be submitted to the EPA or the certifying authorities, they must be made available for the EPA or authorized agency officials upon request. Records collected may become part of an investigation or enforcement action. Modifications to EPA-approved certification plans are required to be submitted for review and approval by the Agency. Modifications that are approved by the EPA will be posted online to CPARD so the most up to date version of a certifying authorities certification plan and program is available to the public.

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 certifying authorities, 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.

Certifying authorities 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 certifying authorities 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 certifying authorities, 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 infrequent.

17. DISPLAY OF OMB CONTROL NUMBER AND EXPIRATION DATE ON INSTRUMENTS:

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

The Agency plans to display the expiration date for OMB approval of the information collection on all instruments.

18. CERTIFICATION STATEMENT:

Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

This information collection complies with all provisions of the Certification for Paperwork Reduction Act Submissions.

SUPPLEMENTAL INFORMATION

PRA Burden Statement

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2070-0029). Responses to this collection of information are mandatory for certain persons, as specified at 40 CFR Part 171. An 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 public reporting and recordkeeping burden for this collection of information is estimated to be 10 minutes per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Data & Enterprise Programs Deputy Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address."

You can also provide comments to the Office of Information and Regulatory Affairs, Office of Management and Budget via <https://www.reginfo.gov/public/do/PRAMain>. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

All comments received by EPA will be included in the docket without change, including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI), or other information whose disclosure is restricted by statute. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.

LIST OF ATTACHMENTS AND REFERENCES

The attachments listed below can also be found in the docket for this ICR. The docket for this ICR is accessible electronically through <https://www.regulations.gov> using Docket ID Number: EPA-HQ-OPP-2021-0288.

Attachment	Description
A	(Provisional Form Number: EPA-PFN-3400-5) Modification Form for Certification Plans
B	<u>EPA Form 8500-17 - Request for Pesticide Applicator Certification in Indian Country and Instructions</u>
C	Consultation Summary (Stakeholder Engagement)
D	Consultation Summary (Stakeholder Response)

Attachment	Description
E	Calculation of Respondent & Agency Burden Associated with the Certification of Pesticide Applicators (40 CF 171) – Hours and Costs
F	2025 Wage Rate Tables (Certifying Authorities, Private Applicators, RUP Dealers, Commercial Pesticide Applicators, Pesticide Registrants, Dealers, State Government, and EPA)

References

40 CFR 171 available at <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-E/part-171>

2017 Certification of Pesticide Applicators Final Rule (82 FR 952) available at <https://www.federalregister.gov/documents/2017/01/04/2016-30332/pesticides-certification-of-pesticide-applicators>

FIFRA section 3(d) available at <https://www.regulations.gov/document/EPA-HQ-OPP-2021-0288-0003>

FIFRA 7 U.S.C. 136i, section 11 available at <https://www.law.cornell.edu/uscode/text/7/136i>

FIFRA section 25 available at <https://www.govinfo.gov/content/pkg/COMPS-10326/pdf/COMPS-10326.pdf>

Pesticide Registration (PR) Notice 2008-2 “Guidance for Antimicrobial Pesticide Products with Anthrax-Related Claims” available at <https://www.epa.gov/pesticide-registration/prn-2008-2-antimicrobial-pesticide-products-anthrax-related-claims>