

Washington State Comparison and Impacts for US EPA's PROPOSED Certification of Pesticide Applicator Rule (40 CFR Part 171)

| Private Applicators (PA), Rancher Private Applicators (RPA), and Limited Private Applicators (LPA) | | |
|---|---|--|
| Proposed Rules | Current Washington State Rules | Impacts for PAs, RPAs and LPAs |
| <ul style="list-style-type: none"> • Add a Soil Fumigation exam category for soil fumigants | <ul style="list-style-type: none"> • Soil Fumigation exam category is available to meet the “training” requirement on the label, but not required for private applicators. | <ul style="list-style-type: none"> • Soil Fumigant exam or training will be mandatory for any licensed private applicator performing soil fumigations. |
| <ul style="list-style-type: none"> • Add Non-Soil Fumigation exam category for private applicators | <ul style="list-style-type: none"> • None | <ul style="list-style-type: none"> • Private applicators using any fumigant (e.g., aluminum phosphide, sulfur dioxide, methyl bromide) would need to take and pass non-soil fumigation exam category. |
| <ul style="list-style-type: none"> • Add Aerial exam category | <ul style="list-style-type: none"> • None | <ul style="list-style-type: none"> • Require aerial exam category along with pest management categories. |
| <ul style="list-style-type: none"> • Consider a Chemigation category | <ul style="list-style-type: none"> • WA has Chemigation Rules, but does not have a chemigation exam category. | <ul style="list-style-type: none"> • Could require private applicators to pass a chemigation exam. |
| <ul style="list-style-type: none"> • Minimum 18 years old for PA, RPA, LPA certification or under the direct supervision when using Restricted Use Pesticides (RUPs) | <ul style="list-style-type: none"> • WA Department of Labor & Industries has 18-year age restriction for <i>employees</i> handling hazardous chemicals. | <ul style="list-style-type: none"> • Low impact. If use restricted use pesticide (RUP) must be 18 years old. For use of non RUPs, no age limit. |

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| Proposed Rules | Current Washington State Rules | Impacts for PAs, RPAs and LPAs |
| <ul style="list-style-type: none"> • Mandatory 3-year certification cycle | <ul style="list-style-type: none"> • WSDA rule is a 5-year cycle. • RPA and LPA license is renewed on a 5-year cycle. | <ul style="list-style-type: none"> • Expensive changes to WSDA database. • Eliminates ability to have a 5-year license for RPAs and LPAs. • Requires lengthy implementation timeline to convert 5-year cycle to 3-years. |
| <ul style="list-style-type: none"> • Obtain 6 core Continuing Education Units (CEU is 50 minutes training) <u>and</u> 3 CEUs per <u>EACH</u> exam category during the 3-year recertification cycle | <ul style="list-style-type: none"> • Private applicators require 20 credits in 5-year cycle with no more than 10 credits per year. • Private applicators can attend any training with any approved content for CEUs (recertification credits). • RPA and LPA require CEUs in weed-specific topics and core CEUs are not approved for them <ul style="list-style-type: none"> – WSDA reviews/assigns these credits. | <ul style="list-style-type: none"> • Very expensive changes to WSDA database and will require hiring several additional full-time employee (FTEs). • Obtain 6 CEUs in core (laws/safety) topics in 3 years, and • Obtain 3 CEUs per <u>EACH</u> exam category in 3 years. <ul style="list-style-type: none"> ○ Those with Aquatic or Soil Fumigation categories have to get 3 CEUs per category. • WSDA is required to assign recertification course topics as “Core” or “category specific” training. Applicators will need to monitor they are getting what they need. <i>Pest management topics will not be considered “Core.”</i> |
| <ul style="list-style-type: none"> • Obtain at least ½ of CEUs in last 18 months of licensing cycle | <ul style="list-style-type: none"> • WSDA has maximum credits of 10 per year. | <ul style="list-style-type: none"> • Half-year tracking of credits is not practical. |
| <ul style="list-style-type: none"> • Present ID for recertification training sessions | <ul style="list-style-type: none"> • WSDA allows self-verification by signature. | <ul style="list-style-type: none"> • Very time consuming for course sponsors, WSDA and applicators. |

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| Commercial Applicators/Operators (CA/O), Public Operators (PO), Private Commercial Applicators (PCA) | | |
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| Proposed Rules | Current Washington State Rules | Impacts for CA/O, PO, and PCA |
| <ul style="list-style-type: none"> • Add a Soil Fumigation exam category | <ul style="list-style-type: none"> • WSDA has a Soil Fumigation exam category. | <ul style="list-style-type: none"> • Already have to take this exam. |
| <ul style="list-style-type: none"> • Add Non-Soil Fumigation exam categories | <ul style="list-style-type: none"> • Private applicators using any fumigant (e.g., aluminum phosphide, sulfur dioxide, methyl bromide) would need to take and pass non-soil fumigation exam category. | <ul style="list-style-type: none"> • Already have to take these exams. |
| <ul style="list-style-type: none"> • Add Aerial exam category | <ul style="list-style-type: none"> • None | <ul style="list-style-type: none"> • Require aerial exam category along with pest management categories. |
| <ul style="list-style-type: none"> • Consider a chemigation category | <ul style="list-style-type: none"> • WA has Chemigation Rules, but does not have a chemigation exam category. | <ul style="list-style-type: none"> • Could require licensed CA/O, PO, and PCA to pass a chemigation exam. |

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| Commercial Applicators/Operators (CA/O), Public Operators (PO), Private Commercial Applicators (PCA) | | |
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| Proposed Rules | Current Washington State Rules | Impacts for CA/O, PO, and PCA |
| <ul style="list-style-type: none"> • Mandatory 3-year certification cycle | <ul style="list-style-type: none"> • WSDA rule is a 5-year cycle. | <ul style="list-style-type: none"> • Expensive changes to WSDA database. • Requires lengthy implementation timeline to convert 5-year cycles to a 3-year cycle. |
| <ul style="list-style-type: none"> • Obtain 6 core Continuing Education Units (CEU is a 50-minute training) <u>and</u> 6 CEUs per <u>EACH</u> exam category during the 3-year recertification cycle | <ul style="list-style-type: none"> • 40 credits required and a maximum of 15 credits per year; however, with no requirements for “core” (laws and safety) or “category” (exam categories). • WSDA does not review and assign credits as per Core or Category. | <ul style="list-style-type: none"> • Very expensive changes to WSDA database and will require hiring several additional full-time employee (FTEs). • Obtain 6 CEUs in core topics in 3 years, and • Obtain 6 CEUs per <u>EACH</u> exam category in 3 years. <ul style="list-style-type: none"> ○ If someone had 3 exam categories they need 6 core + 18 category CEUs for 24 credits per 3 years. ○ If someone had 5 exam categories they need 6 core + 30 category CEUs for 36 credits per 3 years. • WSDA is required to assign recertification course topics as “Core” or “category specific” training. Applicators will need to monitor they are getting what they need. • WSU will face significant demands to provide training in both core and category; additional FTEs will be needed. • Challenge to provide category credits in small-sector exam categories, such as seed treatment and wood preservation. |
| <ul style="list-style-type: none"> • Obtain at least ½ of CEUs in last 18 months of licensing cycle | <ul style="list-style-type: none"> • WSDA has maximum credits of 10 per year. | <ul style="list-style-type: none"> • Half-year tracking of credits is not practical. |
| <ul style="list-style-type: none"> • Present ID for recertification training sessions | <ul style="list-style-type: none"> • WSDA allows self-verification by signature. | <ul style="list-style-type: none"> • Very time consuming for course sponsors, WSDA, and applicators. |

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| Pesticide Dealers | | |
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| Proposed Rules | Current Washington State Rules | Impacts for Dealers |
| <ul style="list-style-type: none"> RUP dealers must record applicator's certification number, issuing authority, certification expiration date, and categories of certification – these are in addition to other items. | <ul style="list-style-type: none"> Dealers must record certified applicator's pesticide license number (WAC 16-228-1300) – these are in addition to other items. | <ul style="list-style-type: none"> Significant burden – already require record certified applicator's pesticide license number and are responsible to know the sale is to a current license holder with the correct exam category endorsements. |

<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPP-2011-0183-0001>