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Pesticide Update

EPA's Office of Chemical Safety and Pollution Prevention

EPA Approves Strengthened Pesticide Safety Plans for Certifying Applicators

The U.S. Environmental Protection Agency (EPA), in collaboration with state and tribal co-regulators, is strengthening the protection of human health and the environment and reaffirming its commitment to environmental justice by announcing the final approval of 67 updated plans for certifying applicators of Restricted Use Pesticides (RUPs). RUPs are pesticides that are the most acutely toxic pesticides or those needing to be applied with special care. With this announcement, all areas of the U.S. will be able to continue certifying applicators of RUPs, but now must also begin the process of holding RUP applicators to higher safety standards.

On January 4, 2017, EPA updated the Certification of Pesticide Applicators (CPA) regulations to set stronger standards for those who apply RUPs, which can only be used by certified applicators or individuals under a certified applicator's direct supervision, not by the general public. Applicators are certified by federal agency, state, territory, and tribal certifying authorities with an EPA-approved certification plan by completing a comprehensive training program and/or passing a written exam.

The 2017 CPA rule required that authorities certifying RUP applicators submit revised plans to EPA for approval by an extended deadline of November 4, 2023 that include:

- *Enhanced competency requirements and assessment:* Applicators must demonstrate they are competent to use RUPs through the completion of more comprehensive training programs and/or passing a written exam. Competency standards now include more specific information on pesticide application and safe use.

- *New specialized categories:* A certification is now required for aerial, fumigation, and predator control RUPs. These high-risk pesticides now require specific training due to the difficulty of application without exposing people to the pesticides
- *Minimum age restrictions:* Applicators and noncertified applicators under a certified applicator's direct supervision must be at least 18 to apply RUPs (with a limited age exemption (16) for some uses on family farms by noncertified applicators under the direct supervision of a certified applicator who is an immediate family member).
- *Noncertified applicator qualifications and supervisor requirements:* Those applying RUPs under the direct supervision of a certified applicator must receive safety training in a manner they can understand. Applicators must verify training records for those working under their direct supervision prior to applying RUPs.
- *Recertification:* Recertification programs must ensure that applicators continue to maintain a level of competency necessary to use RUPs without causing unreasonable adverse effects. Certifications are now valid for a maximum of only five years, whereas previously there was no federal limit.

EPA and certifying authorities from all 50 states, 5 territories, 6 federal agencies, 6 tribes, and the District of Columbia have been coordinating throughout the plan approval process for over 3 years, an effort which has resulted and will continue to result in modified plans that protect the environment and human health, including the health of certified pesticide applicators and those under their direct supervision, and will ensure that certified applicators are trained to prevent bystander and worker exposures. Plans have been approved on a rolling basis since spring of 2022. EPA has approved five tribal plans, with one remaining tribal plan currently being finalized for approval. In the interim, applicators certified under the tribe's existing plan will be transitioned to EPA federal certification under the EPA Plan for applicators of RUPs in Indian country until the revised plan is approved. The next phase for the CPA has begun as certifying authorities enhance certification programs according to the standards and implementation schedules in their plans.

Upon publication of the Federal Register notice detailing the approval of the certification plans, a list of the plans will be available in docket EPA-HQ-OPP-2022-0509 at www.regulations.gov. Copies of EPA-approved certification plans can be found on the [Certification Plan and Reporting Database \(CPARD\)](#). For more information regarding the reviews and approvals of these certification plans, visit EPA's [Certification Standards for Pesticide Applicators website or read more about the 2023 EPA Plan to Certify Pesticide Applicators in Indian Country](#).

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