5-32. State Registration for Special Local Needs (1200 TN 22 5-32)

1. AUTHORITY. To perform the functions and responsibilities relative to State Registration of pesticides to meet special local needs, including the authority;

a. To certify a State (except under the Interim Certification Program, 40 F.R. 40547 (September 3, 1975)) as capable of exercising adequate control to register pesticides to meet special local needs;

b. To sign Federal Register notices indicating an intention to approve State plans (and soliciting public comment);

c. To sign Federal Register notices approving State plans pursuant to Section 24(c) of Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended; and

d. To review State registrations of pesticides to meet special local needs and to take action relative thereto, including but not limited to, disapproval of the registration.

2. TO WHOM DELEGATED.

a. The authorities in 1.a. and 1.d. are delegated to the Director, Land, Chemicals and Redevelopment Division (LCRD).

b. The authority in 1.a. is delegated to the Chief, Chemicals Safety Program Branch, LCRD.

3. LIMITATIONS.

a. The authorities in 1.b. and 1.c. are reserved to the Regional Administrator.

b. The delegatees will forward for review copies of all State plans to the Director of the Office of Pesticide Programs (OPP) upon receipt. The Regional Administrator will notify the Director, OPP five days prior to signing a Federal Register notice indicating an intention to approve or indicating final approval of a State plan.

c. The authority to prescribe standards for revocation of a State's certification to register pesticides to meet special local needs is reserved to the Administrator. The Regional Administrator, with the concurrence of the Director, OPP, may revoke or suspend the certification of a State to register pesticides to meet special local needs.

d. The authority to prescribe standards relative to the State special local needs registration program pursuant to Section 24(a), FIFRA, is reserved to the Administrator.

5-32. State Registration for Special Local Needs (continued)

3. LIMITATIONS (continued)

e. The Regional Administrator is required to obtain advance concurrence from the Director, OPP prior to initiating a program under this authority. The Director OPP may waive this requirement for advance concurrence on a selected Regional basis.

4. REDELEGATION AUTHORITY.

a. This authority may not be redelegated without formal amendment.

b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.

6. SUPERSESSION. Delegations Manual, FIFRA, Regional Delegation 5-32. State Registration for Special Local Needs, 1200 TN RIII 128, (September 30, 1998).

Date: APR 1 5 2019

Cosmo Servidio
Regional Administrator