DOCKET NUMBER: EPA-HQ-OA-2017-0190 Evaluation of Existing Regulations

COMMENTS SUBMITTED BY: Association of American Pesticide Control Officials (AAPCO)

SUBJECT: Formal comments on EPA Regulatory Reform

SUBMITTED BY: Bonnie M. Rabe, President, AAPCO

DATE: May 15, 2017

The Association of American Pesticide Control Officials (AAPCO) is a national professional association representing pesticide regulatory officials from the 50 states and territories with responsibility for the effective implementation and enforcement of FIFRA and as such are co-regulators with EPA. One of our key objectives is to engage with the agency to ensure workable, effective and efficient regulation of pesticides at both the state and federal level. In terms of regulatory reform, we believe there is room for improvement to the processes and regulations and are providing comments in support of that belief.

RECENT FEDERAL RULE REVISIONS

While supporting the goal of the recent revisions to the Worker Protection Standard (WPS) and the Pesticide Applicator Certification Rules, the final rules cause significant concerns for states, specifically, implementation timelines, resource demands, and the development of compliance materials. AAPCO acknowledges and appreciates the agency's consideration of many of the concerns expressed by states, however, we believe further modifications would be beneficial to states and the regulated industry while still being protective of human health and the environment. AAPCO supports the delayed implementation as well as modifications of WPS and the Certification Rule to allow specific issues to be addressed. Detailed comments are provided for each rule in the designated sections in this document.

Pesticide Applicator Certification Rule – 40 CFR Part 171; Certification of Pesticide Applicators

States submitted comments to the initial proposed rule, which provided a clear statement of state's role in applicator certification: "It is important to note that AAPCO State Lead Agencies (SLAs) have, since the very earliest days of Federal pesticide applicator certification, taken the lead on many aspects of pesticide applicator training and certification. Through the state/federal cooperative agreement process identified in Sections 26 and 27 of FIFRA, EPA has granted most states primacy in the training, certification and enforcement of state and federal regulations governing the application of restricted use pesticides (RUPs). It is not an exaggeration to say that without the direct involvement of SLAs, the federal government would be unable to adequately administer or enforce FIFRA." (https://aapco.files.wordpress.com/2016/12/aapco-ct-rule-docket-comments-01-20-16.pdf)

While AAPCO was appreciative of the agency listening to and incorporating many of our concerns in the final rule as well as extending the implementation date, we believe some elements should still be considered for further revision. These include sections on definitions, standards for certification of commercial and private applicators, recertification of certified applicators, age limit for certified applicators, and the mandate and timeframe for statutory changes.

Each of the 50 states and territories represented by AAPCO have varying concerns, too numerous for full explanation and specification within these comments. AAPCO strongly encourages the utilization of the State FIFRA Issues Research and Evaluation Group (SFIREG). SFIREG is made up of a state designee appointed to represent the states in each of the ten EPA regions, liaisons from the Office of Pesticide Programs (OPP) and the Office of Enforcement and Compliance Assurance (OECA), a EPA Regions designee, and representatives from various affiliates including the Tribal Pesticide Program Council (TPPC) and provides an ongoing platform for the states and EPA to resolve challenges such as federal rule revisions and implementation. We would like to see SFIREG utilized to fully address pertinent issues in the Certification and WPS rules.

Worker Protection Standard – 40 CFR Part 170

AAPCO requests once more that the U.S. Environmental Protection Agency (EPA) extend the implementation of all revised provisions of the Agricultural Worker Protection Standard (WPS) (40 CFR 170, as published in the Federal Register on November 2, 2015) until January 2018 or until EPA has: (1) finalized and delivered adequate enforcement guidance, educational materials, and training resources to the state lead agencies (SLA); and (2) provided the SLAs the tools and financial resources necessary to effectively implement the rule changes and assist the regulated community with compliance activities or (3) considered further revisions to the final rule.

State Lead agencies have prioritized outreach, compliance assistance and enforcement, in regards to the Worker Protection Standard (WPS) since the initial regulation was enacted in 1992. AAPCO appreciates EPA's program staffs' on-going efforts to develop, revise, finalize, and disseminate complete and accurate training materials, enforcement guidance, compliance materials and other necessary educational resources to assist EPA's state regulatory partners with executing a successful implementation of the final rule changes. We have been working diligently with EPA program staff since the final rule was published in November 2015 to review, improve, and facilitate the expeditious development and delivery of these materials prior to the January 2, 2017 and 2018 implementation dates, respectively. Unfortunately, much of EPA's work to develop and provide these critical compliance and enforcement materials to state regulatory agencies remains incomplete and the release date did not allow for adequate outreach to occur during last year's grower meetings.

Frustrating the development and delivery of these critical training, guidance, and compliance materials was the insertion and final articulation of the Application Exclusion Zone (AEZ), which EPA has publicly acknowledged goes beyond the Agency's stated intent. Many State Agencies expressed concerns in letters to Jim Jones in December of 2015. We understand EPA's Office of General Counsel (OGC) has issued interpretive guidance clarifying the Agency's intent under the final regulation; however, Agency guidance does not carry the weight and authority of a codified federal regulation and does not provide the necessary clarity to assist state regulatory agencies with compliance and enforcement activities. Some State Attorney General's Office has advised that we would be on shaky ground were we to regulate on the basis of interpretative guidance and ignore the plain language of the Standard.

In August 2016, AAPCO sent a letter to EPA's Office of Pesticide Programs. (https://aapco.files.wordpress.com/2016/12/letter-to-jack-housenger-wps_aez.pdf) outlining our concerns with the lack of availability of Train-the-Trainer materials and the OGC's interpretive guidance regarding the AEZ. These concerns along with the lack of implementation materials remain unaddressed and further demonstrate the need for an extension to all pending WPS revisions until January 2018.

One of our greatest concerns is the respirator requirements included in the WPS Revisions. To date, EPA has still not released any compliance assistance materials, interpretative guidance, or enforcement guidance with the complex OSHA Standards regarding respiratory protection that were adopted from 29 CFR 1910.134. Not to mention NIOSH updated their respiratory nomenclature some 22 years ago but due to the lack of coordination between federal agencies, EPA still has not updated pesticide labels to the new terminology used to reference respirator types. This is one of the most challenging areas to explain to growers due to lack of consistency in terms.

In September 2016, the National Association of State Departments of Agriculture (NASDA) membership voted and approved an Action Item[1] during their Annual Meeting urging EPA to delay implementation of the revised WPS provisions. NASDA emphasized the new WPS regulations require significant additional staff time to provide outreach to workers, handlers, applicators, agricultural employers, trainers and other stakeholders. Under the WPS rule changes, trainers will now require retraining, and per EPA's implementation timeline, this retraining must take place during the same period the state agencies are expected to conduct outreach and education to the producers in their states. In addition, the average actual on-site inspection under the former WPS rule averaged three hours in duration, but under the new rule these same inspections are anticipated to require approximately 50% more time due to the enhanced record keeping and site information requirements. These enhanced compliance and record keeping requirements require EPA's timely delivery of educational resources or training materials to assist SLAs and the regulated community in understanding, complying, and enforcing the new requirements.

Compliance and enforcement materials are still being completed and distributed to all the appropriate state enforcement agencies and affected entities. With the effective date of January 2, 2017, there were not enough calendar days or training opportunities available for adequate outreach and educational activities between the SLAs and the regulated community necessary to facilitate a successful implementation of the provisions.

We concur with NASDA's observations that this request to extend the implementation timeline is consistent with EPA's delay in implementation and enforcement to the WPS[2] rule promulgated in 1992, which was implemented in the field in 1995-96. The previous WPS implementation delay was required due to the lack of necessary training materials for pesticide workers and pesticide handlers, compliance assistance materials for agricultural employers, and inspection guidance materials for state regulators. Therefore, as the co-regulatory partner with EPA, for the past 42 years, AAPCO respectfully requests EPA delay the implementation dates of any further revised provisions to the WPS until January 2, 2018.

The implementation and compliance with the WPS rule changes are the responsibility shared by EPA, state regulatory agencies, agricultural employers, trainers, and workers. This requested extension to the implementation timeline is essential to ensure EPA's state regulatory partners and the regulated community have the appropriate information, training, and resources necessary to effectuate a successful implementation

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[1] NASDA Action Item H: *Implementation of Revised Agricultural Worker Protection Standard* (Sept. 2016); http://www.nasda.org/File.aspx?id=45396

[2] 40 C.F.R. §170

of the WPS rule changes. Implementing these regulatory changes without providing the necessary educational resources or training materials to assist state regulatory agencies and the regulated community in understanding the new requirements and how to comply with them is inappropriate and in direct conflict with the fundamental principle of "educate before you regulate."

These are our basic concerns with the revisions of the Worker Protection Standard. Other more specific concerns follow:

Section 170.3 Definitions

Authorized representative should be deleted. This concept would be unwieldy and problematic to SLAs. Without some sort of significant verification process to determine the identities of both the worker/ handler and the authorized representative involved, this activity could result in numerous fraudulent claims of representation and numerous data fishing expeditions by quasi-authorized representatives hoping to cherry pick violations. This would be counterproductive to the regulatory process and the true purpose of the protections intended by this rule.

Section 170.309 Agricultural employer duties

This section should be revised to make the agricultural employer responsible for compliance with only the WPS portions of the pesticide product label, not the entire pesticide product label and labeling. Extending regulatory requirements to issues beyond the WPS is exceeding the intent and scope of this rule. This is a WPS rule, not a rule to make agricultural employers, who may or may not be certified pesticide applicators, responsible for general label compliance. The current FIFRA pesticide applicator certification program is based on label compliance by individuals who have demonstrated competency to apply pesticides. Arbitrarily extending those requirements to non-certified individuals is completely contradictory to that premise. If it is the Agency's intent to develop a shared liability provision for label compliance, that objective should be addressed through a separate and distinct rule addressing all pesticide products or through a revision of FIFRA. It should not be buried in a WPS rule intended to protect workers and handlers. Any provision not specifically targeting protection of workers and handlers should be removed from this rule.

Section 170.309(f)(2)(ii) and (iii)

These sections should be deleted from the emergency information assistance requirements. It is unclear what is meant by "the circumstances of application or use of the pesticide..", and "the circumstances that could have resulted in exposure to the pesticide." And it is equally unclear how this information might be of any real use in providing emergency assistance to a worker or handler. Is there an expectation that an emergency responder is going to act or not act, provide assistance or not, based on a vague description of a possible exposure scenario? Any regulatory requirement, such as this, that does not have a specific valuable purpose serves only as an unnecessary opportunity for a technical violation.

Section 170.309(g)

This section should be modified to make the requirements for training and notification of equipment mechanics applicable only for those agricultural employees who are otherwise workers or handlers at the establishment, not for the local machine shop mechanic. While notifying a mechanic that equipment to be repaired has been used for pesticides is a reasonable

practice, the risk assessment for this individual is undoubtedly significantly different than that for a true agricultural employee. If similar protections are not going to be provided for mechanics of equipment used for non-agricultural applications, this requirement should be removed. It is reasonable to suspect that lawn care equipment or structural pest management equipment may require as much or more repair as agricultural equipment. Keep the focus on those individuals most at risk.

Section170.313 Commercial pesticide handler employer duties (k)(2)(i) and (ii)

These sections should be deleted from the emergency information assistance requirements. See comments for Section 170.309(f)(2)(ii) and (iii).

Section 170.401 Training requirements for workers (c)(4)(ii)

This section should be revised to reflect that there is no distinction or difference between a trainer eligible to train workers or handlers. As proposed, this adds an unnecessary level of complication and confusion to a rule that is already too complicated and confusing. It is logically inconsistent to believe that the basic skill set of a trainer of workers is significantly different from that of a trainer of handlers. Neither EPA nor SLAs are qualified or in a position to be able to evaluate the proficiency of one type of trainer versus another. Those distinctions are very subjective and beyond the capabilities of those responsible for compliance with this rule. In addition, the logic is further turned upside down when one considers that a certified pesticide applicator is legally capable of training and supervising a non-certified applicator to apply restricted use pesticides around people and into the environment, but is not capable of training a worker about how to protect himself from pesticide exposure.

Section 170.405 Entry restrictions associated with pesticide applications

All references in this section, corresponding tables in this section, and other sections of this rule to 'other persons' should be deleted. While limiting pesticide exposure to all persons is certainly a good thing that should be supported and promoted whenever possible, extending protections of this rule to individuals who are not agricultural workers or handlers, if necessary, should be accomplished by means other than the WPS rule. Again, creating protections for 'other persons' in a WPS rule appears to be exceeding the scope and intent of the rule, even if it seems like a good idea. In addition, if such provisions are warranted based on the risk assessments performed for 'other persons', it seems that non-agricultural products should receive the same consideration as is being proposed for agricultural WPS products.

The concept of a regulatory requirement to keep individuals out of varying widths of areas surrounding treated areas seems quite difficult for an agricultural employer to implement and next to impossible for an SLA trying to ensure compliance. The logic behind such a safety measure is understandable and supportable, but making this a regulatory requirement with an expectation of compliance monitoring and enforcement is not.

170.405 (a)-(b) Application Exclusion Zone. As referenced above, the final rule includes an "AEZ". This portion of the rule is so confusing that EPA needed several pages of interpretive guidance as well as interpretive guidance from the Office of General Counsel. This confusing portion of the regulation was not part of the original proposal. The AEZ does not provide any additional protections. Pesticide labels all currently read, "Do not

apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application."

Section 170.409 Oral and posted notification of worker entry restrictions (b)(1)(ii)

This section should be revised to add to the end of the posting timing requirement, "unless weather or circumstances beyond the control of the applicator or agricultural employer delays the application." There are a variety of provisions within the existing rule that can be considered somewhat subjective. Adding a provision that recognizes the realities of weather and planning seems reasonable to avoid additional unnecessary technical violations.

Section 170.409 (b)(1)(iv)

The three day after application or REI posting sign removal requirement in this section should be deleted. If protection of workers and handlers is truly the intent of this rule, the violation of the posting provision should be allowing a worker or handler to enter a posted field, regardless of the application date or the REI. Creating the possibility of a technical violation for failure to remove a posting sign by a specified date adds an unnecessary level of complication without adding any real additional protections for the workers or handlers. The impetus to remove the posting signs to allow re-entry and return to unimpeded agricultural operations will be with the agricultural employer. A similar state regulatory requirement in Indiana for removal of lawn posting signs was rescinded after ten years of rule implementation because of the realization that it was impossible to monitor and provided no additional protections.

Section 170.501 Training requirements for handlers (c)(1)

This section should be revised to require only that the trainer be available during the training session rather than continuously present throughout the entire training. If training is being facilitated by an approved video or some other media that does not require continuous attention by the trainer, it is of little value that the rule create another opportunity for a technical violation that adds unproven additional protections to workers or handlers. The important point would seem to be that the trainer be available immediately following the presentation for questions and comments. Even face-to-face trainers will often request that trainees hold questions until the end of the session so as to not disrupt the flow and distract other trainees.

Section 170.501(c)(2)(iv),(vii), and (ix)

These items should be deleted from required training elements for handlers. Although AAPCO strongly supports training pesticide users about these elements, this type of training requirement is already covered in applicator certification training and in non-certified applicator supervision requirements. That is where training requirements for pesticide applicators should be addressed, not inserted through some back door requirement of a WPS rule that addresses only agricultural pesticides

Section 170.503 Knowledge of labeling application-specific, and establishment-specific information for handlers

This section should be deleted. See the comments for Section 170.501(c)(2) above. Again, requirements like these belong in a certification standards and supervision rule, not a WPS rule targeting solely agricultural workers, handlers, and pesticide products.

Section 170.507 Personal protective equipment (b)(5)(iii)

The requirement for contaminated glove liners to be disposed of in accordance with federal, state, or local regulations should be deleted. If such disposal regulations actually exist, adding this provision in a WPS rule adds no value or regulatory authority. It just begs the question of what those regulations may be and adds another technical violation to the WPS rule that really needs to applicable to all pesticides. Eliminate the additional confusion. States and localities can address disposal requirements through state or locality specific regulations as they see fit. Again, this is a worker/handler protection rule, not a disposal compliance rule.

Section 170.507 (d)(2)

The reference to PPE disposal according to federal, state, or local regulations should be deleted. See comments above for Section 170.507(b)(5)(iii).

Section 170.601 Exemptions (a)(2)

The reference to "other persons" should be deleted. See comments for Section 170.405.

Request for specific comment in the proposed rule, AAPCO believes that the below comments were not addressed in the final rule.

Expand the Content of Worker and Handler Pesticide Safety Training

Because this proposed rule is a worker protection rule, AAPCO believes the following training points should not be considered in the final proposal: 1) environmental concerns, 2) information on proper application and use of pesticides, 3) requirement for handlers to follow all pesticide label directions, and 4) format and meaning of all information contained on pesticide labels and labeling, environmental concerns, such as drift, runoff, and wildlife hazards. While OISC strongly supports these training requirements for non-certified applicators being supervised by certified applicators, we believe that is exactly the mechanism that should be utilized to ensure that pesticides are being applied legally and with environmental safety in mind. These items do not relate directly to worker and handler safety and protection. This is a WPS rule, not an applicator certification rule. By including these training points in WPS, it appears as if the Agency is attempting to expand the regulatory liability of handlers beyond the intent and scope of the rule. It should be noted that Indiana already requires training and competency examination of most agricultural handlers (non-certified applicators being supervised by certified applicators).

Posted Notification Timing & Oral Notification

AAPCO opposes any oral notification if the Agency truly expects the requirement to be inspected and enforceable. We believe that it would be impossible to effectively enforce, with or without a recordkeeping requirement. In addition, AAPCO is opposed to any additional recordkeeping requirement, since such records would be costly to keep and are susceptible to fraud. A record does not ensure that oral notification actually occurred, only that a record was created.

PESTICIDE GENERAL PERMIT (PGP) UNDER THE NATIONAL POLLUTANT DISCHANGE ELIMINATION SYSTEM (NPDES)

As specified in the Fact Sheet providing Notice of the 2016 NPDES PGP, Section I. Background (file:///C:/Users/brabe/Downloads/EPA-HQ-OW-2015-0499-0117.pdf) provides the information related to Section 301(a) of the Clean Water Act (CWA) requiring NPDES permits and explanation of the court determinations leading to EPA requiring the PGP effective October 31, 2011. The document also confirms the purpose of FIFRA's statutory framework is:

> *"to ensure that when used in conformance with FIFRA labeling directions, pesticides will not pose unreasonable risks to human health and the environment. All new pesticides, for which registration is required, must undergo a registration procedure under FIFRA during which EPA assesses a variety of potential human health and environmental effects associated with use of the product. Under FIFRA, EPA is required to consider the effects of pesticides on the environment by determining, among other things, whether a pesticide* "will perform its intended function without unreasonable adverse effects on the environment,*" and whether* "when used in accordance with widespread and commonly recognized practice [the pesticide] will not generally cause unreasonable adverse effects on the environment.*" 7 U.S.C. 136a(c)(5). In performing this analysis, EPA examines the ingredients of a pesticide, the intended type of application site and directions for use, and supporting scientific studies for human health and environmental effects U.S. Environmental Protection Agency 2016 NPDES Pesticide General Permit Fact Sheet 3 and exposures. The applicant for registration of the pesticide must provide specific data from tests done according to EPA guidelines. When EPA approves a pesticide for a particular use, the Agency imposes restrictions through labeling requirements governing such use. The restrictions are intended to ensure that the pesticide serves an intended purpose and avoids unreasonable adverse effects."*

AAPCO agrees with the need for an effective regulatory mechanism to protect waters of the U.S. from harm by pesticides that may intentionally or inadvertently be discharged into those waters. However, AAPCO firmly believes the NPDES Pesticide General Permit (PGP) requirements are duplicative of federal pesticide registration requirements without providing additional tangible water quality protections and requirements for a NPDES permit for pesticide application should be repealed. Pesticide labels are the primary tool which should be used to add additional safeguards or prohibitions to ensure applicators are aware and water quality is protected.

The permit creates additional overlapping and duplicative state regulatory mechanisms at a time when federal and state resources for implementation and enforcement are scarce or non-existent. Specifically, the proposed permit does not adequately recognize extant pesticide regulatory mechanisms and safeguards that can be appropriate for consideration as "control measures" to be relied upon to meet non-numeric technology-based effluent limitations in the permit. For example, many states are already addressing the integrated pest management and best management practice technologies with pesticide applicators through the state applicator certification process.

In addition, state water agencies charged by state law with the administration and enforcement of state NPDES permitting programs have not been funded for the tremendous additional workload

being created by this permit requirement. The same is true for EPA Regional offices which are responsible for the program in states without primacy for NPDES. In some cases a single staff person is responsible for the entire NPDES permit applications, review and compliance. Add to this difficulty, most of these same permitting agencies have received relatively little training and have almost no experience in the enforcement of pesticide use, necessary for adequate determinations of compliance with a PGP.

Compliance with the pesticide label is a cornerstone to this permitting initiative. EPA needs to clearly recognize and capture the value and benefits already formally utilized from the state lead pesticide agency expertise in the administration and enforcement of FIFRA. Removing the authority overlap would provide clearer regulatory direction and relieve unnecessary regulatory burden to persons and entities utilizing a pesticide and strengthening the authority to regulate pesticides as intended under FIFRA.

MINIMUM RISK PESTICIDE EXEMPTION

In 1996, the agency exempted minimum risk pesticides from product registration in order to reduce cost and regulatory burden. This exemption shifted costs and the regulatory burden to state lead agencies, many of which require state registration. States are finding more products in the marketplace which do not meet the federal requirements for exemption from registration, but due to the low priority assigned by the agency for violations, appropriate and timely action by the agency is not pursued. The exemption should either be repealed or the agency should place a higher priority for enforcement on products which do not meet the federal requirements for exemption.

USE OF FEDERAL CREDENTIALS BY STATE EMPLOYEES TO CONDUCT FEDERAL PRODUCT INSPECTIONS

The FIFRA Sections 8 and 9 require that inspection of pesticide establishments by officers or employees of EPA or of any State duly designated by the Administrator be performed by an individual with "appropriate credentials". Neither FIFRA nor any of the CFR promulgated under FIFRA designates what an "appropriate credential" may be. EPA policy has been that an appropriate credential means a federally issued FIFRA credential.

AAPCO agrees that for purposes of uniformity and consistency between federal inspectors and state authorized inspectors, issuance of a federal FIFRA credential seems to be optimal. However, many states already have state authority, credentials, and staff training necessary to conduct federal product compliance inspections. Some state authorities may actually exceed federal authorities afforded state employees with federal credentials, making the federal credential a nice, but not required "appropriate credential". To compound the frustration with the unnecessary duplication, the process established by EPA to issue federal credentials is cumbersome, inefficient, time consuming, and unreliable. These short comings continue to exist in spite of repeated efforts by States and EPA to improve the process. Regardless, EPA remains committed to the requirement for State inspectors, in spite of requests for documentation of need, legal precedence, or a clear explanation of the value added component to the

regulatory process. This is a situation that could be improved by nothing more than an operating policy change.

TECHNOLOGY UTILIZATION AND ENHANCEMENTS

AAPCO fully supports EPA in their efforts towards the development and utilization of technology in the pesticide registration, state grant reporting and enforcement tracking processes and dedicating resources to fund these efforts. The implementation of technology will increase efficiencies, provide for more consistency in data collection and enhance reporting capabilities and information exchange between states and the EPA.

State pesticide regulatory programs conduct reviews of pesticide labels for registration and compliance, inspections of pesticides in the channels of trade, and certification and inspection of pesticide applicators. A critical component of all these efforts are pesticide labels, and the specific language on these labels. Accurate and timely information about these labels is absolutely necessary for effective compliance programs. Efforts such as the Pesticide Smart Label program and Label Comparison Smart App will enhance monitoring of pesticide label compliance by field operations performed by the states and result in significant efficiencies for monitoring compliance during state registration reviews.

STATE TRIBAL ASSISTANCE GRANT (STAG) FUNDING

With the proposed reductions to the EPA Budget, AAPCO would be amiss if it did not offer that any reductions to State Tribal Assistance Grants will make it difficult if not impossible for some States to continue enforcement of FIFRA. States have historically had to work with increasing mandates under reduced STAG funding available for pesticide program cooperative agreements. Should there be additional reductions to STAG funds, States will be faced with limiting participation or in some cases, returning regulatory responsibilities to the agency.

While we understand fiscal decisions must be made, as co-regulators sharing the mission of protecting human health and the environment, we encourage the agency to prioritize efforts which directly accomplish that core mission such as providing adequate resources (staffing, technology, training) to ensure federal registration decisions are sound and fully considered not just on paper but in the real world as well as ensure states are provided adequate resources for program mandates. Resources should be limited where efforts outside of this scope do not provide an identifiable benefit to state level regulatory, education and outreach, or research efforts such as the designed for the environment pilot pesticide program.

AAPCO would like to express our support for and importance of continued funding for the Pesticide Regulatory Education Program (PREP), the Pesticide Inspector Residential Training (PIRT) and the State FIFRA Issues and Research Evaluation Group. Each of these has contributed to improving regulatory decisions, priorities, and program implementation, for example, the development and implementation of performance measures for the enforcement program. PREP, PIRT and SFIREG provide an opportunity to increase the depth of understanding and consistency in implementation of FIFRA for both state and EPA staff carrying out the pesticide program objectives.

Thank you for the opportunity to provide comments. Please feel free to contact me or other members of the AAPCO Board for further information or discussions. Contact information can be found at www.aapco.org.