

INITIAL STATEMENT OF REASONS AND PUBLIC REPORT  
CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION

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## ABBREVIATIONS

- 3 CCR.** Title 3, California Code of Regulations
- 14 CCR.** Title 14, California Code of Regulations
- 17 CCR.** Title 17, California Code of Regulations
- 40 CFR Part 171 or 40 CFR.** Title 40, Code of Federal Regulations Part 171, “Certification of Pesticide Applicators”
- ADA.** Americans with Disabilities Act
- CAC.** County Agricultural Commissioner
- CE.** Continuing Education
- CEQA.** California Environmental Quality Act
- CD.** Compact Disc
- CDPH.** California Department of Public Health
- CTAG.** Certification and Training Assessment Group
- DPR.** Department of Pesticide Regulation
- FAC.** Food and Agricultural Code
- FIFRA.** Federal Insecticide, Fungicide, and Rodenticide Act
- HSC.** Health and Safety Code
- ISOR.** Initial Statement of Reasons
- MG.** Maintenance Gardener
- OAL.** Office of Administrative Law
- OEHHA.** Office of Environmental Health Hazard Assessment
- PCB.** Pest Control Business
- PUR.** Pesticide Use Report
- QAC.** Qualified Applicator Certificate
- QAL.** Qualified Applicator License
- RM.** Restricted Material
- RUP.** Restricted Use Pesticide
- SPCB.** Structural Pest Control Board
- U.S. EPA.** United States Environmental Protection Agency
- WPS.** Worker Protection Standard

INITIAL STATEMENT OF REASONS AND PUBLIC REPORT  
DEPARTMENT OF PESTICIDE REGULATION

Title 3. California Code of Regulations

Adopt Sections 6509, 6512.1, 6512.2, 6512.3, 6512.4, 6580.1, 6580.2, 6624.5, and 6731; Amend Sections 6000, 6404, 6302, 6406, 6414, 6428, 6430, 6500, 6502, 6504, 6508, 6510, 6511, 6512, 6513, 6522, 6530, 6531, 6540, 6562, 6564, 6568, 6580, 6582, 6584, 6612, 6622, 6624, 6724, and 6742; Repeal Sections 6445.5, 6534, 6536, and 6560  
Pertaining to the Certification of Pesticide Applicators

This is the Initial Statement of Reasons (ISOR) required by Government Code section 11346.2(b), and the public report specified in section 6110 of Title 3, California Code of Regulations (3 CCR). Section 6110 meets the requirements of Title 14, CCR section 15252, and Public Resources Code section 21080.5 pertaining to certified state regulatory programs under the California Environmental Quality Act (CEQA).

SUMMARY OF PROPOSED ACTION/PESTICIDE REGULATORY PROGRAM  
ACTIVITIES AFFECTED

The Department of Pesticide Regulation (DPR) proposes to adopt 3 CCR sections 6509, 6512.1, 6512.2, 6512.3, 6512.4, 6580.1, 6580.2, 6624.5, and 6731; amend sections 6000, 6302, 6404, 6406, 6414, 6428, 6430, 6500, 6502, 6504, 6508, 6510, 6511, 6512, 6513, 6522, 6530, 6531, 6540, 6562, 6564, 6568, 6580, 6582, 6584, 6612, 6622, 6624, 6724, and 6742; and repeal sections 6445.5, 6534, 6536, and 6560. This proposal will affect pesticide regulatory program activities pertaining to the certification of commercial and private pesticide applicators (“certified applicators”), development and submittal of continuing education (CE) courses for pesticide applicator license or certificate renewal, and supervision of non-certified applicators. In summary, the proposed regulations will align California’s regulations with the revised federal regulations in Title 40, Code of Federal Regulations Part 171 “Certification of Pesticide Applicators” (40 CFR Part 171) that were noticed in the Federal Register Vol. 82, No. 2 on Wednesday, January 4, 2017. The proposed action will improve the competency standards for certified applicators using California restricted materials, which includes federally restricted use pesticides (RUPs), improve certification standards for certified applicators, create additional certification categories for certified applicators, increase protection for noncertified applicators using restricted materials under the direct supervision of a certified applicator through enhanced pesticide safety training and standards for supervision of noncertified applicators, establish a minimum age requirement for certified and noncertified applicators using restricted materials under the direct supervision of a certified applicator, and improve standards for CE courses. In addition, new forms will be incorporated by reference and some forms currently incorporated by reference will be amended to align with the proposed action.

SPECIFIC PURPOSE AND FACTUAL BASIS

DPR's mission is to protect public health and the environment, in part by regulating and mitigating the adverse effects of pesticide use, including use of restricted materials which includes federally restricted use pesticides. DPR regulates statewide licensing of commercial and

private pesticide applicators, pest control businesses, dealers, and advisers; conducts environmental monitoring; pesticide product evaluation and registration; and pesticide residue testing of fresh produce. This statutory scheme is set forth primarily in Food and Agricultural Code (FAC) Divisions 6 and 7. Additionally, per FAC section 11501.5, the County Agricultural Commissioner (CAC) of each county, under the direction and supervision of the Director, is required to assist in enforcing these FAC divisions and the regulations which are issued pursuant to them.

## **Background**

In 1974, the United States Environmental Protection Agency (U.S. EPA) adopted 40 CFR Part 171 “Certification of Pesticide Applicators” to ensure that pesticide applicator certification program standards adequately protected applicators, the public, and the environment from risks associated with the use of RUPs. Since then, U.S. EPA has updated 40 CFR Part 171 to enhance and improve programs that certify applicators of RUPs.

RUPs are pesticidal products that U.S. EPA has determined have the potential to cause adverse effects to the environment and have the potential to cause injury to applicators or bystanders if not used properly and according to label instructions. For these reasons, U.S. EPA requires RUPs to only be used by a certified applicator or someone under the direct supervision of a certified applicator. The criteria for restricting use to certified applicators is established in 40 CFR 152.170.

FAC sections 14004.5 and 14005 authorize the Director to adopt a list of restricted materials based upon criteria including danger of impairment of public health; hazards to applicators, farmworkers, domestic animals, and crops from direct application or drift; hazards related to persistent residues in the soil resulting in the contamination of air, waterways, estuaries, or lakes; or hazards to subsequent crops. Because U.S. EPA and DPR designate pesticides as “restricted” for similar reasons, 3 CCR section 6400(a) designates any pesticide labeled as an RUP as a California restricted material. Therefore, when restricted materials are referenced in this document, the reference includes RUPs. California restricted materials can only be sold in stores that have a DPR-issued dealer license authorizing the sale of restricted materials, and can only be purchased by certified applicators and, if purchasers are not structural pest control applicators, those with a restricted materials permit issued by the CAC. FAC section 14001 authorizes DPR to regulate the use of restricted materials and FAC section 14015 authorizes DPR to ensure that restricted materials are only possessed or used by, or under the direct supervision of, a certified applicator. This statutory scheme allows DPR to ensure individuals using or supervising the use of restricted materials have demonstrated a level of competency to do so safely and in a manner that will not result in harm to human health or the environment.

On March 6, 2017, U.S. EPA’s revised 40 CFR Part 171 to enhance protections to individuals using or supervising the use of RUPs became effective. These revisions were noticed in the Federal Register, Vol. 82, No. 2. The revisions are intended to further reduce the harmful effects caused to pesticide applicators, the public, and the environment from the use of RUPs by increasing the standards commercial and private applicators must initially and continually meet to be certified to handle or apply RUPs.

DPR is the State Lead Agency (SLA) for programs that certify pesticide applicators using RUPs within California. Under Section 11 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), DPR must ensure that all California state programs and associated regulations detailing the certification of pesticide applicators meet or exceed the federal regulations established by U.S. EPA in 40 CFR Part 171. As the SLA, DPR coordinates with other agencies who maintain pesticide applicator certification and training programs, including the Department of Consumer Affairs' Structural Pest Control Board (SPCB) and the California Department of Public Health (CDPH), to ensure pesticide laws and regulations are being implemented consistent with the federal requirements. These agencies have their own set of regulations that are currently undergoing revisions for consistency with 40 CFR Part 171 and DPR works closely with these agencies to ensure all requirements are met.

Due to California's unique regulatory framework, DPR's Licensing and Certification Program licenses and certifies applicators of California restricted materials, which includes RUPs (section 6400(a)), as well as applicators who perform pest control for hire regardless of whether or not they use restricted materials. By aligning 3 CCR with 40 CFR Part 171, the proposed regulations will also affect users above and beyond RUP and restricted material use, including those who may apply general use products. In addition, because a pesticide is designated as an RUP or restricted material for similar reasons, DPR proposes to extend many of the supervision requirements required by U.S. EPA for RUPs to all California restricted materials in section 6400. DPR also proposes to make some clarifying changes to the regulations for consistency and clarity. All of the proposed regulatory changes discussed in this ISOR are to make 3 CCR regulations consistent with or more restrictive than the federal regulations concerning the certification of pesticide applicators using restricted materials, including RUPs. DPR proposes the following amendments in order to maintain or exceed the minimum level of certification standards required by federal regulations.

### **Proposed Regulations**

Regulations in 40 CFR Part 171 establish minimum standards for the certification and recertification of applicators of RUPs. Due to California's unique regulatory framework, DPR's Licensing and Certification Program licenses and certifies applicators of California restricted materials, which includes RUPs (3 CCR section 6400(a)), as well as applicators who perform pest control for hire regardless of whether or not they use restricted materials. As a result, DPR proposes that the standards adopted and amended within this section apply to all of these applicators. Requiring all certified applicators to meet these standards will ensure a consistent standard for those licensed or certified by DPR, and will ensure pesticide products (restricted or not), used by or under the supervision of these individuals, are used in a safe and effective manner.

- **3 CCR Section 6000. Definitions**

Current definitions in 3 CCR section 6000 reflect definitions in 40 CFR 171.3, with some exceptions. DPR proposes adding and amending definitions in section 6000 to align with 40 CFR 171.3 and to further clarify terms used in the proposed regulations.



DPR proposes to amend the definition for “certified commercial applicator.” This definition is specific to California and incorporates the various types of license/certificate holders in California who are considered “certified commercial applicators.” Throughout this definition, DPR proposes to replace “person,” a term defined in section 6000, with “individual” as these licenses are only issued to an individual natural person. This change will more appropriately focus on an individual and no longer include businesses and other “organized groups of people” who do not receive these licenses. License and certificate names are also being revised to reflect the correct names. This includes fixing “qualified license” to reflect “Qualified Applicator License,” which is consistent with FAC Division 6 Chapter 8, and adding the differentiation between Manned and Unmanned Journeyman Pest Control Aircraft Pilot Certificate. Per FAC section 11901, it is unlawful for any person to operate an unmanned aircraft system in pest control unless the pilot has been certified by DPR as a commercial applicator to perform these pest control activities. The current definition does not specify manned or unmanned pilots; the proposed revision is to be consistent with the 2018 amendments to FAC section 11901 [Assembly Bill 527 (Caballero, Chapter 404, Statutes of 2017)] and pest control aircraft pilot regulations adopted in 2019 (OAL File No. 2019-0314-01S). Additionally, DPR proposes to correct “certified technician” to “valid Vector Control Technician” for consistency with the terminology used in Health and Safety Code (HSC) section 106925, update the name of the section that issues the certificate, and update the name of the department to “Department of Public Health,” which succeeded the former State Department of Health Services (HSC sections 131050 and 131052(8)(B) and (E)). Furthermore, because the Structural Pest Control Board (SPCB) of the Department of Consumer Affairs can have inactive licenses (for individuals who request an “inactive” status or other “inactive” situations as specified in Title 16, Business and Professions Code), DPR proposes to clarify that only individuals with active Structural Pest Control Operator or Field Representative licenses can be considered certified commercial applicators. DPR also proposes to specify in subsection (e) that individuals with a Qualified Applicator Certificate who are qualified to work solely in subcategory Q (QAC-Q) are not considered certified commercial applicators. Existing section 6531 prohibits individuals with only a QAC-Q from using or supervising the use of California restricted materials. As previously mentioned, under FAC section 14015, a restricted material may be possessed or used by, or under the direct supervision of a certified commercial applicator as defined by 3 CCR section 6000. Specifying that QAC-Q are not considered certified commercial applicators will provide clarity and make this definition consistent with the current prohibition in section 6531. Lastly, to maintain consistency with 40 CFR 171.305(a), DPR proposes to add subsection (f), which considers applicators certified by a Federal agency, under a U.S. EPA-approved certification plan for pesticide applications only on Federal lands in accordance with the Federal agency certification, as certified commercial applicators.

DPR proposes to add a definition for “commercial park” to mean a tract of land where several commercial establishments (e.g., stores, offices, restaurants, warehouses, or factories) are located. This includes, but is not limited to: business parks, industrial parks, office parks, and shopping centers or malls. This definition is specific to California and helps clarify the activities

allowed under the following existing California-specific license/certificate: Maintenance Gardener (MG) Pest Control Business (PCB) License (FAC section 11704) and QAC-Q (proposed 3 CCR sections 6504(b)(5) and 6531). It also better distinguishes the activities allowed under a QAC-Q compared to a Qualified Applicator Certificate (QAC) or Qualified Applicator License with category B (Landscape Maintenance Pest Control) as “commercial park” is specifically used in the proposed QAC-Q subcategory description.

DPR proposes to add a definition for “incidental” to mean pest control that ensues from, or is a minor consequence of, a business’ overall ornamental and turf maintenance activities. Pest control separate from ornamental and turf plantings does not qualify. This definition is applicable to FAC section 11704 and proposed 3 CCR sections 6504(b)(5) and 6531. This definition is specific to California, clarifies what incidental use is, and is necessary to separate the extent and frequency of pest control activities allowed under the existing California-specific MG PCB license required by FAC section 11704 compared to a PCB license required by FAC 11701.

DPR proposes to amend the definition of “industrial use,” by changing the word “use” to “pest control.” This better matches DPR’s authority in FAC Division 6 as “pest control” is defined in FAC section 11403, and is a more appropriate term because it covers a broader range of activities, practices, and methods that can be used to control pests. Additional settings of where pest control is allowed are also being added to align with 40 CFR 171.101(g) and to provide examples that distinguish settings that are considered “industrial,” from “residential” or “institutional” settings for clarity. In addition to other pesticide laws and regulations (such as FAC section 11408 and 3 CCR section 6622), this term is included in the proposed section 6530(a) category description and improves the clarity of that section. This definition is already specific to California, and the amendments are necessary for the reasons discussed above.

DPR proposes to amend the definition of “institutional use,” changing the word “use” to “pest control.” This better matches DPR’s authority in FAC Division 6 as “pest control” is defined in FAC section 11403, and is a more appropriate term because it covers a broader range of activities, practices, and methods that can be used to control pests. Additional settings of where pest control is allowed are also being added to align with the settings listed in 40 CFR 171.101(g) and to provide examples that distinguish “institutional” settings from “residential” or “industrial” settings for clarity. In addition to other pesticide laws and regulations (such as FAC section 11408 and 3 CCR section 6622), this term is included in the proposed section 6530(a) category description and improves the clarity of that section. This definition is already specific to California, and the amendments are necessary for the reasons discussed above.

DPR proposes to add a definition for “ornamental” to mean trees, shrubs, flowers, and other plantings intended primarily for aesthetic purposes in and around habitations, buildings, and surrounding grounds. This definition is consistent with 40 CFR 171.3; however, this definition excludes the examples of residences, parks, streets, and commercial, industrial, and institutional buildings listed in 40 CFR 171.3. Those specific example settings are listed, where applicable, in

the proposed 3 CCR sections that include the term “ornamental” (sections 6504(b)(5), 6530(b), and 6531).

DPR proposes to add a definition for “practical knowledge” to mean the possession of pertinent facts and comprehension sufficient to properly perform functions associated with pest control, including use of California restricted materials and properly responding to reasonably foreseeable problems and situations. This definition is consistent with 40 CFR 171.3 and is necessary to distinguish “practical knowledge” from “knowledge,” which is a similar, more generalized term used throughout the regulations.

DPR proposes to amend the definition of “private applicator” by correcting the federal code section citation for the definition of “agricultural commodity” and removing subsection (b). As part of the recent changes to 40 CFR Part 171, U.S. EPA moved the definition of “agricultural commodity” from 40 CFR 171.2(a)(5) to 40 CFR 171.3 and thus this citation must be amended to reference the correct section. The federal definition of “agricultural commodity” has not changed. Additionally, a householder who uses or supervises the use of a pesticide, outside the confines of a residential dwelling for the purpose of controlling ornamental, plant or turf pests on residential property owned, leased, or rented by that householder will no longer be considered a “private applicator.” The pest control activities currently conducted by “householders” under a private applicator certification align with the 40 CFR 171.103 standards of certification for commercial applicators. For this reason, “householders” will not be considered private applicators. This is necessary to align the California definition of “private applicator” with the federal definition in FIFRA section 2(e)(2) (7 U.S.C. § 136(e)(2)); which is the definition U.S. EPA relies on when referencing private applicators in 40 CFR Part 171. Individuals who currently conduct “householder” activities under a private applicator certificate will be required to obtain a commercial applicator certificate under the proposed 3 CCR amendments. This amendment will ensure that the activities currently conducted by “householders” under a private applicator certificate will be appropriately conducted under a commercial applicator certificate, as is consistent with FIFRA and was specifically requested by U.S. EPA upon reviewing DPR’s proposed amendments and plan for compliance with the requirements of 40 CFR Part 171.

DPR proposes to add a definition for “tribe” to mean any Native Tribe, band, nation, pueblo, village, or community included in the list of Tribes published by the Secretary of the Interior pursuant to the Federally Recognized Indian Tribe List Act. This definition is consistent with the definition in 40 CFR 171.3, and is being added to clarify the use of “tribe” throughout 3 CCR.

DPR proposes to add a definition for “tribal land” to mean the same as the term “Indian country” as defined in Title 40 Code of Federal Regulations Part 171 section 171.3 (July 1, 2019). This definition is consistent with 40 CFR 171.3. This addition improves clarity in instances in which “tribal land” is used throughout the proposed 3 CCR amendments.

#### **40 CFR 171.101 – COMMERCIAL APPLICATOR CERTIFICATION CATEGORIES**

In general, 40 CFR 171.101 specifies certification categories for commercial applicators using or supervising the use of RUPs, and provides descriptions of application settings that fall within each category. Agencies who certify commercial applicators working in settings described in 40 CFR 171.101 must maintain certification categories that are consistent with or are more restrictive than the descriptions outlined in this section. Certifying agencies may expand upon these application settings as long as they are consistent with the federal descriptions. As part of U.S. EPA's revisions, U.S. EPA added an application-specific certification category relevant to certified commercial applicators in California – non-soil fumigation. Currently, 3 CCR section 6530 lists the certification categories available for pesticide applicators using or supervising the use of California restricted materials, which includes RUPs, or working for hire to perform pest control activities. However, this section does not include the recently added federal certification category, non-soil fumigation, and does not include descriptions of the types of application settings that fall within each certification category, as required by 40 CFR 171.303(b)(2)(ii)(A).

To remain consistent with federal changes, DPR proposes to amend section 6530 by incorporating the new federal certification category, non-soil fumigation, and adding descriptions of the types of application settings that fall within each category. Additionally, DPR proposes to remove California-specific certification subcategories, which are not included in the 40 CFR 171.101 certification categories, from section 6530. DPR also proposes to relocate the California-specific maintenance gardener subcategory in section 6530(q) to section 6531 and add a description of appropriate application settings for consistency with the format and type of content provided in section 6530. These amendments will align certification categories in section 6530 with federal certification categories and descriptions listed in 40 CFR 170.101, and provide clarity on California's certification category and subcategory descriptions, including appropriate use settings and restrictions. The proposed amendments are necessary to be consistent with 40 CFR 171.303(b)(2)(ii)(A).

- **3 CCR Section 6530. Categories**

DPR proposes to amend the heading of section 6530 to “Categories,” to better describe the information included in the section. In addition, to meet U.S. EPA requirements in 40 CFR Part 171, DPR is required to put category descriptions in regulation. As a result, DPR is proposing amendments to section 6530 to include category descriptions. DPR currently maintains category descriptions for the categories listed in existing section 6530 as a part of DPR's licensing and certification program; the proposed descriptions are overall consistent those descriptions currently maintained.

DPR proposes to amend section 6530(a) by adding a description of residential, industrial and institutional pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines types of application settings, including settings detailed in the proposed definitions for “industrial use” and “institutional use,” and current definition of “home use” in 3 CCR section 6000, that are consistent with those listed in 40 CFR 171.101(g). These amendments are necessary for clarity and to help applicators identify the most appropriate

category for the type of pest control they will be performing or supervising in California. For further clarification, proposed subsection (a)(2) specifies this category does not include landscape maintenance pest control for hire covered under subsection 6530(b); use of any pesticide labeled as a fumigant; or structural pest control required to be licensed under Chapter 14 (commencing with Section 8500) of Division 3 of the Business and Professions Code. It is necessary to clarify that landscape maintenance pest control covered under subsection 6530(b) is not included because the settings listed in subsections 6530(a) and 6530(b) may be similar, but the pest control activities conducted under each are different and require different category certifications. For example, an airport employee might obtain Category A to apply restricted pesticides in, on, or around an airport building, but the same airport employee would need Category B to apply restricted pesticides to the landscaping at the airport. Use of any pesticide labeled as a fumigant is not covered by this category as certification in 6530(l) or 6530(m) is required for that type of application, which is consistent with the categories detailed in 40 CFR 171.101. Structural pest control subject to Chapter 14 of Division 3 of the Business and Professions Code is not included under this category as the SPCB has their own separate licensing program that is consistent with the requirements of 40 CFR Part 171.

DPR proposes to amend section 6530(b) by adding a description of landscape maintenance pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines types of application settings that are consistent with those listed in 40 CFR 171.101(c), the definition of “ornamental” in 40 CFR section 171.3, and the proposed definition of “ornamental” in 3 CCR section 6000. In addition, DPR proposes to specify that ornamental plants and turf includes those that are preexisting, planted, or artificial to further clarify that this category applies to any type of plantings intended primarily for aesthetic purposes. Also, consistent with the 40 CFR sections referenced above, DPR proposes to clarify that this pest control may be performed in areas such as residences, parks, streets, and commercial, industrial, and institutional buildings as some of these settings are shared with other categories (such as Category A), but some pest control activities in those settings may require Category B (landscape maintenance). For further clarification, proposed subsection (b)(2) specifies types of applications that are not covered by the landscape maintenance pest control category. Any direct application to running or standing water and use of any pesticide labeled as a fumigant are not covered by this category as certification in 6530(f) is required for aquatic pest control and certification in 6530(l) or 6530(m) is required for use of fumigants; this is consistent with the categories detailed in 40 CFR 171.101. This category description is overall consistent with 40 CFR 171.101(c), however, the additional information is necessary to clarify when an applicator would require this category in California.

DPR proposes to amend section 6530(c) by adding a description of right-of-way pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines types of application settings that are consistent with those listed in 40 CFR 171.101(f); however, this description specifies additional application settings beyond what is listed in 40 CFR, which is necessary for clarity and to help applicators identify the most appropriate category for the type of pest control they will be performing or supervising in California. In addition to the

sites listed in 40 CFR 171.101(f), DPR proposes to clarify that this category includes telephone lines and canals as these are commonly considered types of rights-of-way in California. For further clarification, proposed subsection (c)(2) specifies types of applications that are not covered by the right-of-way pest control category. Any direct application to running or standing water and use of any pesticide labeled as a fumigant are not covered by this category as certification in 6530(f) is required for aquatic pest control and certification in 6530(l) or 6530(m) is required for use of fumigants; this is consistent with the categories detailed in 40 CFR 171.101.

DPR proposes to amend section 6530(d) by adding a description of agricultural (plant) pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines types of application settings that are consistent with those listed in 40 CFR 171.101(a)(1); however, this description specifies additional application settings beyond what is listed in 40 CFR, which is necessary for clarity and to help applicators identify the most appropriate category for the type of pest control they will be performing or supervising in California. DPR proposes to clarify that this category includes rangelands, pastures, and grasslands, which are all settings where foliage is grazed by livestock, and clarify that non-crop agricultural lands are those which will not in the foreseeable future be used to grow food. Setting examples are being added to further clarify settings within California that are consistent with the production of an “agricultural commodity” as defined in 3 CCR section 6000 and settings that have historically been considered as being “non-crop agricultural lands.” These examples ensure applicators understand the types of settings that are considered agricultural (plant) pest control in California and are necessary for clarity, as the State has very diverse agricultural areas and environments. For further clarification, proposed subsection (d)(2) specifies types of applications that are not covered by the agricultural (plant) pest control category. Any direct application to running or standing water, other than applications to crops grown in wet or flooded fields (as these fall under the production of an agricultural commodity and would not be applicable to section 6530(f)), and use of any pesticide labeled as a fumigant are not covered by this category as certification in 6530(f) is required for aquatic pest control and certification in 6530(l) or 6530(m) is required for use of fumigants; this is consistent with the categories detailed in 40 CFR 171.101.

DPR proposes to amend section 6530(e) by adding a description of forest pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines types of application settings that are consistent with those listed in 40 CFR 171.101(b); however, this description specifies additional application settings beyond what is listed in 40 CFR, which is necessary for clarity and to help applicators identify the most appropriate category for the type of pest control they will be performing or supervising in California. In addition to the settings listed in 40 CFR 171.101(b), DPR proposes to clarify that the listed settings include preparation for forest planting, conifer release, brush control projects, and stump treatment as these types of settings and activities commonly support pest control in California forests, forest nurseries, and forest seed-producing areas. For further clarification, proposed subsection (e)(2) specifies types of applications that are not covered by the forest pest control category. Any direct

application to running or standing water and use of any pesticide labeled as a fumigant are not covered by this category as certification in 6530(f) is required for aquatic pest control and certification in 6530(l) or 6530(m) is required for use of fumigants; this is consistent with the categories detailed in 40 CFR 171.101.

DPR proposes to amend section 6530(f) by adding a description of aquatic pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines types of application settings that are consistent with those listed in 40 CFR 171.101(e). For further clarification, proposed subsection (f)(2) specifies types of pest control that are not covered by the aquatic pest control category. Pest control covered by section 6530(k) is excluded from this category to align with 40 CFR 171.101. Pest control covered by sections 6530(d), (g), or (j) are excluded from this category to be consistent with what is currently allowed in this DPR licensing category. These categories include settings or situations where standing or running water may be present, but require specific knowledge or a category specific to government or state programs (i.e., (g) or (j)) to properly perform those types of pest control activities.

DPR proposes to amend section 6530(g) by adding a description of regulatory pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines that applicators certified in this category can perform pest control in government-sponsored programs for the control of regulated pests, which is consistent with 40 CFR 171.101(i). To maintain consistency with 40 CFR 171.101(i), DPR proposes to define “regulated pest” in the category description. This definition is consistent with the definition for “regulated pest” in 40 CFR 171.3. For further clarification, proposed subsection (g)(2) specifies types of applications that are not covered by the regulatory pest control category. Health related pest control and use of any pesticide labeled as a fumigant are not covered by this category as certification in 6530(k) is required for health related pest control and a certification in 6530(l) or 6530(m) is required for use of fumigants; this is consistent with the categories detailed in 40 CFR 171.101.

DPR proposes to amend section 6530(h) by adding a description for seed treatment that is performed or supervised by a commercial applicator certified in this category. The description outlines types of application settings that are consistent with those listed in 40 CFR 171.101(d). For further clarification, proposed subsection (h)(2) specifies types of applications that are not covered by the seed treatment pest control category. Use of any pesticide labeled as a fumigant is not covered by this category as certification in 6530(l) or 6530(m) is required for use of fumigants; this is consistent with the categories detailed in 40 CFR 171.101.

DPR proposes to amend section 6530(i) by adding a description of agricultural (animal) pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines types of application settings that are consistent with those listed in 40 CFR 171.101(a)(2); however, this description specifies an additional application setting beyond what is listed in 40 CFR, which is necessary for clarity and to help applicators identify the most appropriate category for the type of pest control they will be performing or supervising in

California. In addition to the setting listed in 40 CFR 171.101(a)(2), DPR proposes to clarify that this category includes managed apiaries as bees are considered producers of an agricultural commodity/product in California. For further clarification, proposed subsection (i)(2) specifies types of applications that will not be covered by the agricultural (animal) pest control category. Any direct application to running or standing water and use of any pesticide labeled as a fumigant will not be covered by this category as certification in 6530(f) is required for aquatic pest control and certification in 6530(l) or 6530(m) is required for use of fumigants; this is consistent with the categories detailed in 40 CFR 171.101.

DPR proposes to amend section 6530(j) by adding a description of demonstration and research pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines types of application settings that are consistent with those listed in 40 CFR 171.101(j); however, the description specifies that this category applies only to California restricted materials and field research that is conducted outside of a laboratory setting. This clarification is overall consistent with 171.101(j), as this category is intended specifically for individuals demonstrating pesticide application methods with restricted materials, such as extension specialists, county agents, and commercial representatives; as well as State, Federal, commercial, and other persons conducting field research on or involving California restricted materials. These clarifications are necessary to further specify the requirements of 171.101(j) and how they may apply in California. For further clarification, proposed subsection (j)(2) specifies types of applications that are not covered by the demonstration and research pest control category. Use of any pesticide labeled as a fumigant is not covered by this category as certification in 6530(l) or 6530(m) is required for use of fumigants; this is consistent with the categories detailed in 40 CFR 171.101.

DPR proposes to amend section 6530(k) by adding a description of health related pest control that is performed or supervised by a commercial applicator certified in this category. The description outlines that applicators certified in this category can perform pest control in government-sponsored programs for the management and control of pests having public health importance, which is consistent with 40 CFR 171.101(h). For further clarification, proposed subsection (k)(2) specifies types of applications that are not covered by the regulatory pest control category. Use of any pesticide labeled as a fumigant is not covered by this category as certification in 6530(l) or 6530(m) is required for use of fumigants; this is consistent with the categories detailed in 40 CFR 171.101. Proposed subsection (k)(3) clarifies that this category is not required for applicators holding a valid Vector Control Technician certificate issued by the California Department of Public Health and employed at a government public health agency, as this department has their own licensing program (HSC section 106925) that is required to be consistent with 40 CFR Part 171.

DPR proposes to repeal and replace section 6530(l), Subcategory L – Wood Preservation, with Category L – Soil Fumigation. To maintain consistency with 40 CFR 171.101, the Wood Preservation subcategory will no longer be available for initial certification or renewal under the proposed regulations, and individuals will need to be certified in categories A – Residential,



Industrial, and Institutional, C – Right-of-Way, or proposed M – Non-Soil Fumigation to continue conducting pest control activities that are currently allowed under this subcategory. For the proposed Category L – Soil Fumigation, DPR proposes to add a description of soil fumigation pest control that is performed or supervised by a commercial applicator certified in this category. The description is consistent with the category description in 40 CFR 171.101(m). In addition, DPR proposes to add examples of application settings to clarify that this category is applicable to soil fumigation in fields, forests, golf courses, greenhouses, and individual tree or vine hole sites, as many of these settings are shared by other certification categories (such as Categories B and D) that exclude the use of fumigants. For further clarification, proposed subsection (l)(2) specifies that use of any pesticide labeled as a fumigant to control non-soil pests (non-soil fumigation) is not covered by this category as the certification in section 6530(m) is required for that type of application method; this is consistent with the categories detailed in 40 CFR 171.101. The category description is overall consistent with 40 CFR 171.101(m), and the additional information is necessary to further clarify when an applicator would require this category in California.

DPR proposes to repeal and replace section 6530(m), Subcategory M – Antifouling Tributyltin, with Category M – Non-Soil Fumigation. To maintain consistency with 40 CFR 171.101, the Antifouling Tributyltin subcategory will no longer be available for initial certification or renewal under the proposed regulations. In 2005, U.S. EPA implemented the cancellation of the last tributyltin registrations for ship hull antifouling uses. (69 Fed. Reg. 61667) Consequently, antifouling tributyltin product registrations in California were cancelled following U.S. EPA’s decision. For this reason and for consistency with commercial applicator categories in 40 CFR, this subcategory will no longer be available. For the proposed Category M – Non-Soil Fumigation, DPR proposes to add a description of non-soil fumigation pest control that is performed or supervised by a commercial applicator certified in this category. The description is consistent with the category description in 40 CFR 171.101(n). In addition, DPR proposes to add examples of application settings to clarify that this category is applicable to non-soil fumigation activities for enclosed areas such as tarpaulin-covered structures and commodities, vaults, chambers, greenhouses, vans, boxcars, ships, planes, and vehicles, containing agricultural commodities or nonfood/nonfeed materials; the fumigation of pest burrows in sites including, but not limited to fields, rights-of-way, ditches, landscaping, and equipment yards; the fumigation of sewer lines, in-service utility poles; or other fumigations not covered by 6530(l) [Soil Fumigation]. These clarifications are necessary as several of these settings are included under other certification categories (such as Categories A, B, and D) that exclude the use of fumigants. Additionally, fumigations covered by 6530(l) require certification in section 6530(l), which aligns with the categories detailed in 40 CFR 171.101. For further clarification, proposed subsection (m)(2) specifies that this category does not include structural pest control required to be licensed under Chapter 14 (commencing with Section 8500) of Division 3 of the Business and Professions Code, as the SPCB within the California Department of Consumer Affairs has their own licensing program that is required to be consistent with 40 CFR Part 171’s non-soil fumigation activity requirements. This category description is overall consistent with 40 CFR

171.101(n), and the additional information is necessary to further clarify when an applicator would require this category in California.

DPR proposes to remove the following subsections from section 6530: (n) Subcategory N – Sewer Line Root Control, (o) Subcategory O – Field Fumigation Pest Control, and (p) Subcategory P – Microbial Pest Control. Subsection (o) is no longer needed because field fumigation pest control activities covered by subsection (o) will be covered by the proposed revisions to subsection 6530(l). Subsections (n) and (p) will no longer be available as initial certification categories or for renewal. These amendments are necessary to align all certification categories with those detailed in 40 CFR 171.101. The subcategories currently listed in section 6530 are not available under 40 CFR. Subsection (q) (Subcategory Q – Maintenance Gardener Pest Control) will be relocated to section 6531. These subcategories are currently specific to California, as previously stated, and their removal ensures all commercial applicator categories available in California are consistent with those in 40 CFR Part 171.

- **3 CCR Section 6531. Maintenance Gardener Pest Control Qualified Applicator Certificate – Subcategory Q**

DPR proposes to amend the title of section 6531 to “Maintenance Gardener Pest Control Qualified Applicator Certificate – Subcategory Q.” This better describes the information in this section with the proposed section amendments. DPR proposes to amend section 6531, relocating Subcategory – Q from existing section 6530(q) to this section. The maintenance gardener subcategory is a California-specific subcategory that was first established in 1980 (FAC section 11704) and is still maintained by DPR. Unlike the categories in section 6530, because this is a California-specific subcategory, it is not detailed in 40 CFR 171.101 and thus, a description of this subcategory is also not detailed. For consistency with the other proposed category descriptions and to clarify when an applicator would require this subcategory in California, DPR proposes to add a description of maintenance gardener pest control that is performed or supervised by an individual holding a QAC-Q. Proposed subsection (a) outlines that applicators certified in this subcategory can perform incidental pest control, including the use of pesticides, in ornamental and turf plants indoors, in commercial parks, or surrounding structures under a MG PCB license. In addition, the use of “incidental” and “ornamental,” as proposed to be defined in section 6000, clarify and better distinguish the pest control activities, and circumstances surrounding when to conduct those activities, allowed under this subcategory from those allowed under Category B – Landscape Maintenance Pest Control (section 6530(b)) and a PCB license issued under FAC section 11701. In subsection (b), DPR proposes to clarify the current restriction regarding the purchase or use of restricted materials by specifying that they are those listed in section 6400. It also specifies that direct application to running or standing water is not allowed under this subcategory as certification in 6530(f) is required, as these applications are not in scope of a MG PCB license, which is intended for incidental pest control activities, as is consistent with FAC section 11704. The Authority and Reference notes are being amended to delete irrelevant citations that pertain to Qualified Applicator Licenses (QALs).

## **40 CFR 171.103 – STANDARDS FOR CERTIFICATION OF COMMERCIAL APPLICATORS**

In general, 40 CFR 171.103 specifies the standards of certification for commercial applicators using or supervising the use of RUPs within the certification categories described in 40 CFR 171.101. New federal standards include an age requirement, demonstration of competency by written examination, and the additional examination standard of identity verification at the time of examination (required to verify identity and age). Currently, these requirements are not included in 3 CCR. DPR proposes to incorporate these new standards by amending sections 6502 and 6504.

- **3 CCR Section 6502. Applications**

DPR proposes to amend existing section 6502 to establish a minimum age requirement in section 6502(a), and restructure the subsection to improve clarity. Applicants seeking certification as a commercial applicator will be required to demonstrate that they will meet the minimum age of 18 years or older by providing a copy of valid government-issued documentation prior to being admitted to an examination. This is consistent with 40 CFR 171.103(a)(1). Additionally, DPR proposes to delete the reference date in subsection (b) as it is no longer applicable and is confusing to applicants. DPR also proposes, in “Table 1 - License and Certificate Application Fees and Forms” and “Table 2 - License and Certificate Renewal Application Fees and Forms”, to amend the form numbers and revision dates for forms incorporated by reference to align with the proposed changes to those forms. The changes to those forms are discussed in detail later in this document in the “Proposed Form Changes” section.

- **3 CCR Section 6504. Examinations**

DPR proposes to restructure section 6504(a) for improved clarity, and make grammatical and editorial corrections. DPR also proposes to delete the first sentence of subsection (a) because it is duplicative of proposed subsection (a)(1). Proposed subsection (a)(2) establishes that each applicant shall present government-issued photo identification at the time of examination, which is consistent with 40 CFR 171.103(a)(2)(iii) and is necessary for DPR to verify their identity and age.

DPR proposes to amend section 6504(b) by rewording and establishing that all applicants seeking certification must be able to read pesticide labeling and pass a written examination. It is necessary to prohibit individuals who are visually impaired from acquiring a license or certificate to ensure public and environmental safety (e.g., inability to see where a pesticide is being applied, inability to observe changes in application conditions, inability to read a product label being sold for use, inability to read a product label recommended for use, etc.). In addition, visually impaired individuals would be unable to properly inspect application equipment, select and clean personal protective equipment, and assess potential application hazards; which are essential activities in conducting pesticide applications in a safe and effective manner. Because

these activities are intended to be completed or supervised (when applicable) by the sole individual licensed or certified, it is necessary that an individual is not visually impaired, as individuals are not licensed or certified with the assumption that assistance will be required to perform pesticide related activities. This requirement is specific to California and exceeds the requirements of 40 CFR Part 171, however, as previously mentioned, it is necessary to ensure public, personal, and environmental safety. The provision requiring applicants to pass a written examination is consistent with 40 CFR 171.103(a) and 171.103(a)(2)(i).

DPR proposes to add subsections (b)(1) through (b)(5) in section 6504(b) to describe standards of certification for each type of commercial applicator certification. 40 CFR sections 171.303(a)(3) and (5) require certification standards for certified applicators to be listed in regulation.

Proposed subsection (b)(1) specifies commercial applicator license and/or certificate types that require applicants to demonstrate, by examination, practical knowledge of California pesticide laws and regulations as well as the minimum federal core standards for certified commercial applicators. This proposed amendment is consistent with 40 CFR 171.103(c).

Proposed subsection 6504(b)(2) establishes that an applicant shall demonstrate by examination practical knowledge of the minimum competency standards in at least one category of certification in addition to the requirements of subsection (b)(1). The specific standards of competency for the categories of certification in section 6530 listed in subsections 6504(b)(2)(A) through (b)(2)(M) incorporate by reference the federal certification standards from 40 CFR section 171.103(d). These proposed amendments are consistent with 40 CFR 171.103(d).

Proposed subsection 6504(b)(3) establishes that applicants for a manned or unmanned apprentice pest control aircraft pilot certificate conducting aerial pesticide applications pass a written examination, which includes specific information pertaining to aerial activities, in addition to the requirements in subsection (b)(1). This is consistent with the requirements for California's manned and unmanned pest control aircraft pilot certifications in Division 6, Chapter 5 of the FAC (commencing with section 11905). The apprentice pilot category is specific to California and must be obtained prior to the journeyman category (proposed subsection 6504(b)(4)). There is no apprentice pilot category in 40 CFR Part 171, so this requirement exceeds the requirements in 40 CFR Part 171; however, it is consistent with current practice and necessary to conform with California law.

Proposed subsection 6504(b)(4) establishes that applicants for a manned or unmanned journeyman pest control aircraft pilot certificate or an Unmanned Vector Control Technician Pest Control Aircraft Pilot Certificate demonstrate by written examination practical knowledge of the minimum competency standards detailed in 40 CFR 171.103(d)(15) and incorporates those standards by reference. This is consistent with 40 CFR 171.103(d)(15). In addition, as applicants taking this examination have already passed an examination on the minimum core standards

(section 6504(b)(1) for manned or unmanned pilots and 17 CCR section 30056 for Vector Control Technicians), no additional examination on those standards is necessary.

Proposed subsection 6504(b)(5) establishes that applicants for a QAC solely with subcategory Q demonstrate by written examination knowledge of applicable pest management practices associated with ornamental and turf plantings: indoors, in commercial parks, or surrounding structures. This is consistent with Division 6, Chapter 4, section 11704 of the FAC and proposed amendments to 3 CCR section 6531. In addition, as this is a California-specific certification and the competency standards for this category are not detailed in 40 CFR Part 171, subsection 6504(b)(5) is being added to align with the format and type of content detailed for other examination requirements included in this section. This requirement exceeds the requirements in 40 CFR Part 171, however, it is consistent with current practice and necessary to conform with California law.

DPR proposes to amend section 6504(c) to add a reference to FAC Division 7. This amendment is specific to California, and is not required by 40 CFR Part 171, however, it is necessary to correctly reflect the FAC divisions in which Qualified Applicator Certificate requirements are located. Additionally, amendments to this section include grammatical and editorial corrections.

DPR proposes to amend section 6504(d) to clarify that up to four examinations may be scheduled per application. This clarification is necessary to be consistent with current practice and instructions on revised DPR application forms incorporated by reference in section 6502.

#### **40 CFR 171.105 – STANDARDS FOR CERTIFICATION OF PRIVATE APPLICATORS**

In general, 40 CFR 171.105 specifies standards for the certification of private applicators using or supervising the use of RUPs. Before using or supervising the use of an RUP as a private applicator, a person must be certified as having the necessary competency to use RUPs for pest control in the production of agricultural commodities. To use or supervise the use of RUPs outside of this general certification category, such as in a non-soil fumigation certification category, private applicators must demonstrate competency applicable to that category. DPR proposes to amend 3 CCR sections 6580, 6582, and 6584, and adopt sections 6580.1 and 6580.2 to specify the requirements for obtaining a private applicator certificate, renewing a private applicator certificate, completing continuing education (CE) hours, and to be consistent with the requirements of 40 CFR 171.105.

Currently, in California, a private applicator can use or supervise the use of restricted materials, including fumigants, for pest control in the production of agricultural commodities. DPR proposes to align the regulations discussed in this section with 40 CFR 171.105, requiring additional certification for private applicators who wish to use or supervise the use of fumigants that are designated as restricted materials. While 40 CFR 171.105 allows private applicators to use RUPs labeled as soil or non-soil fumigants as long as they meet the specified certification standards, the proposed text in 3 CCR section 6404 will prohibit private applicators from using

or supervising the use of restricted materials labeled as fumigants, unless the restricted material is labeled as a fumigant for control of burrowing vertebrate pests. The Federal Economic Analysis of Final Amendments to 40 CFR Part 171: Certification of Pesticide Applicators estimates, overall, that very few private applicators will be conducting soil and non-soil fumigations (U.S. Environmental Protection Agency. 2016). Specifically, the federal analysis estimates this population to be 7% of the total private applicator population within California. Based on this information and the types and extent of private applicator fumigation applications that currently occur in California, DPR is proposing to limit the fumigation activities performed by private applicators to burrowing vertebrate pest control. In general, fumigation activities, with the exception of those intended for the control of burrowing vertebrate pests, are higher risk applications that require specialized training and expensive equipment to comply with pesticide labeling requirements. Based on DPR's knowledge and discussions with CACs, it is most common for private applicators in California, on property owned, leased, or rented by him/her or his/her employer, to hire professional companies who specialize in fumigation activities to provide fumigation services, with the exception of services for burrowing vertebrate pest control, when needed. As a result, DPR proposes to limit private applicator fumigant use to situations that are most common to a private applicator's pest control activities and to ensure these applicators possess the required knowledge, skills, and information to safely conduct these limited fumigation activities. To allow private applicators to continue to use or supervise the use of fumigants labeled for the control of burrowing vertebrate pests, DPR proposes to add the category of non-soil fumigation in 40 CFR 171.105(e) as a private applicator certificate option and specify that private applicators possessing this certificate option may use fumigants labeled for the control of burrowing vertebrate pests. Under the proposed regulations, in order to use fumigants labeled for the control of burrowing vertebrate pests, private applicators will need to pass two examinations: 1) an initial examination to use or supervise the use of restricted use pesticides (excluding fumigants) and 2) an additional examination to use or supervise the use of fumigants labeled for control of burrowing vertebrate pests. Any other fumigant use will require a private applicator to obtain a qualified applicator license or certificate and possess the applicable fumigation category as proposed in sections 6530(l) and 6530(m). This will ensure that those using these higher risk fumigant pesticides have the education specific to these activities and that individuals conducting these high risk activities acquire the additional CE necessary to maintain a qualified applicator license or certificate in a soil and/or non-soil fumigation category.

- **3 CCR Section 6580. Initial Application**

DPR proposes to amend the title of section 6580 to "Initial Application" to better reflect the proposed revisions to this section. Section 6580(a) is being amended to update the form number and revision date for the Private Applicator Certificate Application form incorporated by reference. Additionally, DPR proposes to reword subsection (b) and specify that all applicants for a private applicator certificate pass a written examination before being issued a private applicator certificate. This written examination requirement is necessary to be consistent with 40

CFR 171.105(h)(1) as FAC section 14092(b) allows private applicators an oral examination option. Lastly, the provision in section 6580(c) has been relocated to proposed section 6580.2(d).

- **3 CCR Section 6580.1. Examinations**

DPR proposes to adopt section 6580.1 to establish examination requirements for private applicators, which are required to be in regulation per 40 CFR 171.303(b)(3)(ii). Section 6580.1(a) specifies what a private applicator is required to know in order to be certified; this subsection aligns with 40 CFR 171.105(a). Section 6580.1(b) specifies that private applicators shall pass a written examination to demonstrate competency in the use of a restricted material labeled as a fumigant to control burrowing vertebrate pests. This is consistent with the proposed use limitation in section 6404(d), which only allows private applicators to use burrowing vertebrate pest fumigants and no other soil or non-soil fumigants. An additional examination is necessary to demonstrate their practical knowledge in performing this type of fumigation because fumigant applications differ from other pesticide applications; this requirement is consistent with 40 CFR 171.105(e). Fumigant applications cause a greater risk to applicators than other pesticides due to their toxic chemical nature, high volatility, and specialized application methods and therefore, require additional knowledge expectations associated with safety and specific use. This additional examination requires individuals to understand and know how to properly use fumigant pesticides labeled for the control of burrowing vertebrate pests prior to use. Currently, private applicators are allowed to use or supervise the use of many fumigants, but upon implementation of the proposed regulations, use will be limited to pesticides listed in section 6400 labeled as fumigants and for control of burrowing vertebrate pests, per proposed section 6580.2(c). As mentioned previously, this limitation is necessary to ensure the safety of private applicators and is consistent with the activities that are most commonly conducted by them. Based on the types and extent of private applicator fumigation applications that currently occur in California, DPR is proposing to limit the fumigation activities performed by private applicators to burrowing vertebrate pest control only, as this is most consistent with the activities commonly conducted by private applicators for the purposes of producing an agricultural commodity, as defined in 40 CFR 171.3. The burrowing vertebrate pest fumigant examination will be required because of this proposed limitation, which exceeds the requirements in 40 CFR Part 171 and is specific to California.

40 CFR 171.303(a)(2)(ii) allows the State to create subcategories for the private applicator categories listed in 40 CFR section 171.105(b) through (f). Certification standards are required to be in regulation per 40 CFR 171.303(b)(3)(ii) and (iii). Because the proposed burrowing vertebrate pest certificate option is limited in scope compared to the 40 CFR 171.105(e) non-soil fumigation category, DPR is only proposing to incorporate topics from 40 CFR 171.105(e) that are relevant to the proposed burrowing vertebrate pest fumigation certificate option. Subsection 6580.1(c) is being adopted to align with 40 CFR 171.105(h)(1), which requires all private applicators to be at least 18 years old and provide proof of identity and age at the time of examination. Proposed subsection (d) requires private applicator examinations to be presented

and answered in writing, which is consistent with 40 CFR 171.105(h)(1); this specification is necessary to further clarify that this requirement applies to all private applicator examinations.

- **3 CCR Section 6580.2. Certificate Issuance**

DPR proposes to adopt section 6580.2 to establish requirements for passing a private applicator certification examination and to be issued a certificate. Section 6580.2(a) requires a passing score of 70 percent or above for private applicator examination(s), which is consistent with FAC section 14092(c). This requirement is not specified in 40 CFR Part 171, however, it consistent with current practice and is necessary to conform with California law. Section 6580.2(b) explains that applicants who pass the examination listed in section 6580.1(a) shall be certified to use and supervise the use of restricted materials listed in section 6400, with the exception of fumigants. This is consistent with 40 CFR 171.105(a), which specifies that private applicators with the general category certification cannot use soil or non-soil fumigants without additional certification. Section 6580.2(c) further specifies that if an applicant also passes the examination listed in section 6580.1(b), they will be issued an additional certification allowing the use and supervision of the use of pesticides listed in section 6400 that are labeled as a fumigant and labeled for control of burrowing vertebrate pests. This additional certification is specific to California and is a result of the proposed limitation in section 6404(d), which exceeds the requirements in 40 CFR Part 171; however, as discussed previously (see section 6580.1), it is necessary because private applicators need additional certification to use this type of fumigant. Requiring private applicators to obtain this additional certification will ensure the safety of private applicators and is consistent with the activities that are most commonly conducted by them. Section 6580.2(d) is an existing provision relocated from section 6580(c) because the content better fit with proposed section 6580.2.

- **3 CCR Section 6582. Certificate Renewal**

DPR proposes to amend section 6582 to clarify certificate renewal requirements, include reexamination requirements for the new fumigation certificate option, and make grammatical corrections for consistency throughout the section. In section 6582(a)(1), the form number and revision date of the Private Applicator Certificate Application form, incorporated by reference, are being updated to reflect the proposed revisions to the form. In subsection 6582(a)(2), DPR is proposing to include new language specifying that a certified private applicator must demonstrate practical knowledge by passing a written reexamination of the topics covered in subsection 6580.1(a), and 6580.1(b), if applicable, if he or she does not complete the CE requirements during the time the certificate is valid. The ability to recertify through written examination or CE is consistent with 40 CFR 171.107(b)(1) and (b)(2). In subsection 6582(b) DPR is changing 'examination' to 'reexamination' for consistency with subsection 6582(a)(2).

The adoption of subsection (c) is necessary to ensure that currently certified individuals and those seeking certification in the new burrowing vertebrate pest certificate option meet the revised competency standards of 40 CFR 171.105 for private applicators. Subsection (c)



establishes an expiration date for private applicator certificates issued prior to January 1, 2024 (the proposed effective date of these regulations). Subsection (c)(1) specifies that individuals who seek to continue conducting pest control activities as a private applicator following January 1, 2024 must take and pass the initial private applicator certificate examination, in accordance with section 6580.1(a). This is to ensure all existing applicators meet the revised competency standards of 40 CFR 171.105(a). Subsection (c)(2) clarifies that the requirements of 6582(c) do not apply to individuals who take and pass the initial private applicator examination, in accordance with 6580.1(a), on or after October 1, 2022. Individuals who take the initial private applicator examination on or after October 1, 2022 will have met the revised competency standards of 40 CFR 171.105 for private applicators (as these revised standards will be included in the examination version(s) administered on or after October 1, 2022) and may renew their certificate in accordance with 6582(a). These requirements are specific to California's implementation of the standards in 40 CFR Part 171 as 40 CFR Part 171 does not specify how states should implement the federal standards. California's implementation ensures all private applicators meet the revised federal standards in accordance with California's implementation timeline and the existing private applicator renewal cycle.

- **3 CCR Section 6584. Continuing Education Requirements**

DPR proposes to amend section 6584 to clarify CE requirements for private applicator certificate holders who choose to obtain CE to renew their certificate. The cross-reference in section 6584(a) is being updated to reflect amendments made to section 6512. Sections 6584(a)(2) and (a)(3) have been reworded to clarify that CE course content must be on pest management and pesticides. This is necessary to better explain what qualifies as CE, clarify that CE hours must be on pest management and pesticides and pertain to pesticide laws and regulations, and is intended to be consistent with the requirements of proposed section 6511 and the types of approvable CE content detailed in proposed section 6512(b). Section 6584(c) is being added to align with the revisions to 6513(b) regarding private applicator CE records and to also clarify recordkeeping requirements. The amendments to subsections (a) and (c) are not specifically required by 40 CFR Part 171, and are specific to DPR's CE program. Although these amendments are not required by 40 CFR Part 171, they are consistent with current CE record keeping practices for all other DPR license and certificate holders who require CE, consistent with the focus of current CE course content, and overall consistent with 40 CFR 171.303(b)(4)(iv)(B) (subsection (a)) and 40 CFR 171.303(b)(4)(iv)(C) (subsection (c)).

#### **40 CFR 171.107 – STANDARDS FOR RECERTIFICATION OF CERTIFIED APPLICATORS**

In general, 40 CFR 171.107 specifies the standards for recertification of certified applicators using or supervising the use of RUPs. Prior to the expiration of their license and/or certification, individuals seeking recertification are required to meet the certification standards of the licensing agency with which their license and/or certification is held. 40 CFR 171.107(a) requires the recertification period for a certified applicator's license and/or certificate not to exceed 5 years;

however, a certifying agency may choose a shorter certification period. Individuals may be recertified by either a written recertification examination (40 CFR 171.107(b)(1)), through an established continuing education (CE) program (40 CFR 171.107(b)(2)), or by both options of recertification.

Currently, DPR does not allow for the recertification of commercial pesticide applicators through the written recertification examination option. DPR license or certificate holders who do not obtain the required CE hours while their license is valid are treated as new applicants. Therefore, individuals who possess a DPR-issued commercial applicator license and/or certificate must meet the requirements of DPR's established CE program prior to the expiration of their license/certificate to become recertified. For private pesticide applicators, DPR currently allows recertification through either a written recertification examination option or by meeting the requirements of DPR's established CE program prior to the expiration of their certificate to become recertified. DPR's CE program must meet or exceed the requirements of 40 CFR 171.107(a) and 171.107(b)(2). Thus, DPR proposes to amend 3 CCR sections 6510, 6511, and 6513; adopt 3 CCR sections 6512.1, 6512.2, 6512.3, and 6512.4; and repeal and replace 3 CCR section 6512 to incorporate the standards required for a CE program that is in compliance with 40 CFR Part 171.

- **3 CCR Section 6510. Renewals and New Applications**

DPR proposes to restructure section 6510 and state the overall requirements for renewal through DPR's CE program. Proposed subsection (a) will establish that individuals with a license or certificate (excluding those holding Dealer Designated Agent licenses and those specified in (b)) must obtain CE hours for renewal, as specified in section 6511, while their license or certificate is valid. It also specifies that the CE must be obtained from courses approved pursuant to section 6512, a requirement relocated from section 6511. Additionally, it specifies that renewal application and fee submissions must be in accordance with Table 2 of section 6502. The amendments to subsection (a) are specific to DPR's renewal program and are necessary to clarify DPR's existing renewal practices. Although these amendments are not specifically required by 40 CFR Part 171, they are to comply with the requirements of 40 CFR 171.107(b)(2).

Proposed amendments to subsection (b) will clarify that the provision applies to an "individual," as the section 6000 definition of "person" includes businesses who do not hold these licenses. In addition, repetitive language is being removed for clarity. These amendments will also add a cross-reference to section 6502(a), where application forms are incorporated by reference, and clarify that the examination required to obtain licensure will be in writing. The proposed requirement to submit an application for a new license or certificate in subsection (b) is an existing practice of DPR's renewal program procedures and the cross-reference is necessary to improve clarity by linking to the appropriate section. The written examination requirement is consistent with the requirements in 40 CFR 171.103(a)(2)(i) and 171.105(h)(1).

Proposed subsection (c) establishes that individuals supervising operations of pest control businesses and pest control dealers must have their license or certificate renewed prior to the issuance of a business license renewal. It is necessary for the individual's license or certificate to be renewed prior to a business or dealer renewal to ensure that there is a licensed or certified individual supervising the pest control activities of the business. This is an existing requirement and currently on business and dealer license renewal forms incorporated by reference in section 6502 and is also consistent with the requirements of FAC sections 11701.5, 11702, and 12101.5. This requirement exceeds the requirements of 40 CFR Part 171, however, it is necessary to conform with California law.

- **3 CCR Section 6511. Continuing Education Requirements**

DPR proposes to restructure section 6511 to improve clarity. All CE hour requirements will be located in subsection (a) and all CE hour exemptions will be located in subsection (b). DPR also proposes to replace the introduction to this section with a more applicable introduction that clarifies that license/certificate holders are responsible for taking CE courses applicable to their license or certificate type, and that they will not receive credit for taking the same course more than once within the same calendar year. This ensures license/certificate holders receive CE hours on multiple topics by taking different courses that sufficiently cover pest management and pesticides, laws and regulations, and if applicable, aerial pest control equipment and application techniques. This is an existing practice within DPR's renewal program and not specifically required by 40 CFR Part 171, however, this clarification is necessary to best ensure license/certificate holders understand how they may receive CE appropriate to their licensure. Lastly, the CE obtainment requirement has been relocated to section 6510(a) and reference to the two-year license or certificate period has been removed as it is duplicative of section 6510(b).

DPR proposes to reorganize the existing CE hour requirements in subsections (a) through (e) by relocating all of the requirements under subsection (a), removing requirements for subcategories that are no longer applicable, and numbering the requirements (1) through (5). Overall, the requirements of this section remain consistent with current DPR requirements; however, as a result of the proposed removal of the subcategories listed in existing section 6530 (necessary to align with 40 CFR 171.101), CE requirements for those subcategories are being removed for consistency.

In proposed subsection (a), DPR proposes to revise cross-references to subsections (f) and (g) to subsection (b), as DPR is proposing to renumber those subsections and incorporate all CE hour exemptions under subsection (b). Additionally, DPR proposes to clarify that all license and/or certificate holders must meet the applicable CE requirements outlined in subsection (a). In proposed subsections (a)(1) through (a)(5), DPR proposes to reword the requirements for clarity and specify that CE course content must be on pest management and pesticides and not just related to those topics. These are California-specific clarifications that are not required by 40 CFR Part 171 and are also consistent with current practices. Although these specific amendments

are not required by 40 CFR Part 171, they are necessary to comply with 40 CFR 171.107(b)(2)(i) and 171.303(b)(4)(iv)(A) and (B).

DPR proposes to amend proposed subsection 6511(a)(2) by revising cross-references to subsections (f) and (g) to proposed subsections (3) and (4) which specifies CE renewal requirements for those who possess licenses or certificates in certain categories. This revision is consistent with the restructuring of section 6511 and improves clarity.

DPR proposes to amend proposed subsection 6511(a)(3) by making the subsection specific to CE requirements for an individual renewing a qualified applicator certificate in the maintenance gardener subcategory (Subcategory – Q in proposed section 6531). DPR proposes to remove the existing CE requirements for qualified applicators who only possess a license or certificate in the subcategories of Antifouling-Tributyltin, Sewer Line Root Control, and/or Microbial Pest Control from proposed subsection 6511(a)(3) because these subcategories will no longer be available for renewal. In addition, DPR proposes to amend proposed subsection 6511(a)(4) by correcting the name of the seed treatment subcategory.

As previously mentioned, DPR proposes to place all CE exemptions in proposed subsection (b) (currently located in subsections (f) and (g)) to improve organization and clarity. Additionally, in proposed subsection (b)(2), DPR proposes to clarify that the referenced CE requirements are those listed in subsection (a).

- **3 CCR Section 6512. Approval of Continuing Education Courses**

DPR proposes to repeal and replace the requirements in section 6512 due to the extensive amount of revisions. The proposed amendments and additions are necessary to comply with 40 CFR 171.107(b)(2) and 171.303(b)(4).

DPR proposes to adopt section 6512(a) to clarify that CE courses submitted to DPR for evaluation and approval by a course sponsor are valid for a period of one calendar year and the approval of these courses is at the discretion of the Director. This is a current California-specific requirement in existing section 6512(i) and is not required by 40 CFR Part 171.

DPR proposes to adopt section 6512(b) to specify CE categories required for license and/or certificate renewal that may be submitted by a CE course sponsor to be approved by the Director. These listed categories are currently specified in existing section 6512(a)(1)(E). This includes examples of topics within each category that would be considered appropriate for approval and examples of topics that would not be considered appropriate for approval. In general, section (b) describes the type of pest management and pesticide content that is approvable by DPR for CE hours. This is to ensure license and/or certificate holders maintain the required level of competency associated with their licensure. This information further describes and clarifies the requirements listed in current section 6512(e). Proposed subsection (b)(1) lists pesticide laws and regulations that course content must be focused on to be approvable for “laws and regulations”

CE category credit and provides examples of topics that are not approvable for pesticide laws and regulations CE. Proposed subsection (b)(2) provides examples of, and further specifies, the types of topics and information pertaining to aerial pest control equipment and application techniques that course content must be focused on to be approvable for “aerial” CE category credit. Proposed subsection (b)(3) provides examples of, and further specifies, the types of topics and information pertaining to other various pesticide and pest management topics that course content must be focused on to be approvable for “other” CE category credit. The categories listed and examples provided are California-specific (not specified in 40 CFR Part 171) and also current DPR practice (existing section 6512(a)(1)(E)). These additions will ensure CE courses focused on any of the categories contain appropriate material, provides clarification for CE sponsors, and are necessary to comply with the requirements of 40 CFR 171.107(b)(2) and 171.303(b)(4)(iv)(B).

DPR proposes to add subsection (c) to specify that the CE course must be administered or developed by individuals who are competent and knowledgeable in the subject matter. This requirement is necessary to ensure that the quality of CE courses as well as the overall quality of DPR’s CE recertification program sufficiently meets the standard in 40 CFR 171.107(b)(2)(i). Furthermore, this ensures that CE courses are administered by individuals who are able to clarify and provide further information on subject matter, answer all questions, and discuss in detail the topics that are presented during a CE course. This requirement also ensures CE course attendees receive the best knowledge and current information on the presented topics related to pesticides and pest management practices, as is the purpose of CE (i.e., to ensure license and certificate holders keep their knowledge current in the areas of: pesticide laws and regulations, proper, safe, and effective pesticide use, protect the public health, environment, and property; and encourage safe working conditions for those working with or around pesticides). Furthermore, subsection (c) clarifies that a course must contain a minimum of one hour of approvable content listed in subsection (b); this requirement is in existing section 6512(e)(3). These are California-specific requirements and are not required by 40 CFR Part 171. Although the requirements detailed in subsection (c) are not specifically required by 40 CFR Part 171, they are overall consistent with existing practices, provide clarity to CE sponsors, and comply with the requirements of 40 CFR 171.107(b)(2) and 171.303(b)(4)(iv)(C).

DPR proposes to adopt subsection (d) to clarify that a course will not be approved for more than eight (8) hours of CE per day, and specifies that poster or vendor displays, question and answer sessions, panel discussions, or break periods will not be approved for CE hours. The proposed 8-hour requirement ensures that DPR can evaluate an approved CE course and that an individual can successfully complete a course within a reasonable timeframe. DPR proposes eight (8) hours as a reasonable length of time based on the average amount of hours a full time employee works on a weekday (8.5 hours per day [assuming a 30-minute lunch break]), as reported by the U.S. Bureau of Labor Statistics. This provision is necessary because DPR does not have the resources to fund overtime pay for staff who may work late to audit courses that exceed 8 hours. Currently, only a small number of courses exceed this 8-hour limit. The examples listed that will not be approved for CE hours is being provided for clarity, as these formats do not meet the course

requirements in proposed sections 6512.1 and 6512.2. These formats do not support the learning of new material focused on pesticides or pest management, which is the purpose of a CE course taken for license and/or certificate renewal. These are California-specific requirements and are not required by 40 CFR Part 171. Although these specific amendments are not required by 40 CFR Part 171, they are necessary to comply with the requirements of 40 CFR 171.107(b)(2) and 171.303(b)(4)(iv)(C).

DPR proposes to add subsection (e) to include authority given to the Director to ensure that a CE course submitted for approval contains appropriate content as detailed in (b). Subsection (e) specifies that the Director may request additional clarification from a course sponsor on a course or its content. This requirement is in existing section 6512(h) and has been grammatically revised to further clarify this authority. Additionally, subsection (e) specifies that the Director may deny a CE course submitted for approval, and/or approve the CE course for less CE hours than requested upon initial submission. These are current California practices and requirements, and are not required by 40 CFR Part 171. Although the items detailed in subsection (e) are not specifically required by 40 CFR Part 171, they are necessary to further clarify existing practices and comply with the requirements of 40 CFR 171.107(b)(2), 171.303(b)(4)(iv)(B), and 171.303(b)(4)(iv)(C).

Lastly, the requirements for correspondence CE courses currently in 3 CCR section 6512(g) are being repealed. As a result of the proposed section 6512(d), CE courses may not be longer than 8 hours. Correspondence style courses are typically longer than 8 hours, and thus, will not meet the new proposed requirements. In addition, due to the nature of correspondence style courses, it is difficult to verify that an attendee has successfully read and completed the entirety of a course, which allows individuals to skip through reading course content completely. Therefore, these courses do not meet the requirements of 40 CFR 171.107(b)(2)(iii) and can no longer be permitted because there is no process to verify the attendee's successful completion of the course.

- **3 CCR 6512.1. In-Person Continuing Education Courses**

DPR proposes to adopt section 6512.1 to clarify current CE sponsor course submission requirements for in-person CE courses in existing section 6512, and establish a couple of new requirements for in-person CE courses. The proposed amendments and additions are necessary to comply with 40 CFR 171.107(b)(2) and 171.303(b)(4). This section is also necessary to distinguish the submission requirements between CE courses hosted in-person and CE courses hosted online. Overall, proposed section 6512.1 incorporates current requirements from existing section 6512, including requirements for: forms, attachments, required course information, applicable fees, submission deadline, instructions for various types of in-person courses, instructions for approved repeated courses, and instructions for changes to an approved course; further clarifies required agenda information (section 6512.1(a)(1)(D)); and adds requirements for concurrent presentations (section 6512.1(c)). New requirements in sections 6512.1(a)(1)(D) and 6512.1(c) are described below.

Proposed subsection (a)(1)(D) clarifies that the submitted agenda must also include the total length of the course. This will enable DPR to verify that a sponsor's requested amount of total CE hours matches the submitted agenda. This clarification is also necessary to ensure course presentations that are not applicable for CE credit (proposed 3 CCR 6512(d)), are not included in the total course time approved by DPR. This is a California-specific clarification and is not required by 40 CFR Part 171, however, it is necessary for the reasons stated above.

Proposed subsection (c) adds submission requirements for in-person courses that have concurrent presentations, and clarifies what are considered "concurrent presentations" to ensure sponsors understand when these requirements may be applicable to their course. For courses with concurrent presentations, sponsors will be required to submit an application form with a description of how the sponsor will track attendance, a comprehensive agenda, and \$45 fee per presentation that occurs concurrently with each other. These proposed requirements are necessary to maintain consistency with the submission requirements in (a) and (b) for all in-person courses. The attendance tracking description is necessary to ensure course attendees only receive CE credit for the course presentations they were present for, as attendees have the option to attend multiple presentations that may occur at the same time. Additionally, the requirement to submit the above items for each concurrent presentation will enable DPR to more easily evaluate and keep record of each unique course presentation; this is necessary for entering course information into DPR's CE database and to complete course auditing activities required by U.S. EPA and provided by proposed 3 CCR section 6512.4. The acceptance of CE courses with concurrent presentations is current California practice (not required by 40 CFR Part 171) and subsection (c) is being adopted to further clarify CE submission requirements for sponsors who provide these types of courses.

The requirements in section 6512.1 ensure that courses approved by DPR meet the appropriate competency standards to recertify commercial pesticide applicators. These requirements are necessary to comply with 40 CFR 171.107(b)(2), 171.303(b)(4)(iv)(B), 171.303(b)(4)(iv)(C), and 171.303(b)(4)(iv)(D).

- **3 CCR Section 6512.2. Interactive Online and Webinar Continuing Education Courses**

DPR proposes to adopt section 6512.2 to clarify current CE sponsor course submission requirements for Interactive Online and Webinar CE courses in existing section 6512, and establish several new requirements for interactive online and webinar CE courses. The proposed amendments and additions are necessary to comply with 40 CFR 171.107(b)(2) and 171.303(b)(4). This section is also necessary to distinguish the submission requirements between CE courses hosted online and CE courses hosted in-person. Proposed section 6512.2 specifies requirements for the following: forms, attachments, required course information, applicable fees, submission deadline, instructions for various types of online courses, instructions to verify course attendance, course features, course length, and resubmission standards. This section

further clarifies current requirements in existing sections 6512(a) and (f), and clarifies DPR's authority to deny interactive online or webinar type courses.

In general, proposed subsection (a) specifies course submission requirements currently detailed in existing section 6512(a); however, proposed 6512.2(a) increases the current submission requirement from 30 days to 60 days for interactive online and webinar courses, and specifies that courses shall not be approved for more than 8 hours of CE credit per application. DPR proposes to increase the submission time requirement by 30 days to ensure DPR staff have sufficient time to review the submitted course and communicate with interactive online and webinar course sponsors. With the addition of the proposed approval requirements described below for interactive online and webinar courses, it is anticipated that review of courses and communication with sponsors (to ensure all requirements are sufficiently met) will take longer for DPR to complete. Because the number of requirements are being doubled for these course types, DPR proposes to also double the submission time. In addition, throughout 2020, DPR observed that online courses require an additional level of communication with sponsors to ensure all requirements have been met; the increase in review time to 60 days supports this observation and workload. The 8-hour maximum per application is necessary to be consistent with proposed 3 CCR sections 6512(d) and 6512.1(b) [for in-person formatted courses]. This requirement ensures that DPR can evaluate an approved CE course and that an individual can successfully complete a course within a reasonable timeframe. Additionally, eight (8) hours is consistent with the average amount of hours a full-time employee works on a weekday (8.5 hours per day [assuming a 30-minute lunch break]), as reported by the U.S. Bureau of Labor Statistics. These are California-specific requirements (not required by 40 CFR Part 171) and are necessary for the reasons stated above.

Additionally, proposed subsections (a)(1)(A) and (a)(1)(B) further specify the format in which a comprehensive course outline for interactive online and webinar courses are required to be submitted, as currently required by section 6512(a)(1) (i.e., the proposed subsections specify that interactive online courses shall submit a comprehensive syllabus and webinar courses shall submit a comprehensive agenda). This is necessary to ensure that the most applicable information based on course format is provided, as interactive online and webinar course formats can differ greatly; this improves DPR's ability to easily and efficiently review each type of course. This is a California-specific requirement (not required by 40 CFR Part 171) and is consistent with current practice within DPR's CE program.

Proposed subsections (a)(2) and (a)(3) require sponsors provide DPR access to the course in the same format that the course will be presented to attendees and an explanation of how an attendee's identity will be verified. Existing section 6512(f)(1)(A) requires sponsors to include a copy of their interactive online formatted course or program in a format such as a compact disc (CD) or universal serial bus (USB) flash drive; this requirement is being replaced with proposed subsection (a)(2), which updates the current requirement and allows sponsors to have flexibility with their submission, as interactive online courses are presented in various formats, not just CD or USB formats. The addition of (a)(2) also enables DPR to view a course from an attendee's



perspective, allowing DPR to ensure that the quality and content of the course is consistent with the course DPR has approved based on information submitted by the sponsor. This is in compliance with 40 CFR 171.107(b)(2)(i). Furthermore, (a)(2) provides DPR with the necessary course information to audit an approved CE course, which supports DPR's auditing authority as proposed in 3 CCR section 6512.4(a). Subsection (a)(2) is consistent with current California-specific CE practices for online and webinar formatted courses, but is not specified in 40 CFR Part 171). The addition of subsection (a)(3) is necessary for DPR to ensure sponsors are able to verify an attendee's successful completion of a course. Because it is not feasible to physically check a government-issued I.D. at an interactive online or webinar course, DPR proposes two identity verification options available to sponsors (proposed 6512.2(a)(3)(A) and (a)(3)(B)). Subsection (a)(3) is necessary to be in compliance with verifying an individual's completion of a course, as required per 40 CFR 171.303(b)(4)(iv)(C). The identity verification options proposed in subsections 6512.2(a)(3)(A) and (a)(3)(B) are not specified in 40 CFR Part 171 and are California-specific options that are necessary to ensure sponsors can comply with the performance standard in 40 CFR Part 171. The option in subsection 6512.2(a)(3)(A) allows the sponsor to verify that the individual was in attendance, for how long, and if absent during any time period (which ensures the correct amount of CE credit is administered). Further, the option in subsection 6512.2(a)(3)(B) ensures that individuals are held responsible for their CE hours obtained if a visual means of observation is not available and provides an alternative method of verification if visual observation is unavailable. Both options allow verification by sponsors in a variety of circumstances.

Proposed subsection (b) specifies required features that interactive online and webinar courses must have in order to be submitted to DPR for approval. These features are intended to ensure these courses meet the standards of 40 CFR Part 171.107(b)(2)(i) and (ii). Some of these features include identity verification, quiz and final examination requirements, and features for tracking course participation. The proposed addition of these features are intended to mirror those that are successfully, and currently, used by Washington State Department of Agriculture and Oregon Department of Agriculture in their pesticide applicator recertification programs. U.S. EPA has historically approved these States' CE program features for interactive online and webinar courses. In addition, the Certification and Training Assessment Group (CTAG) published guidance in 2010 titled "Pesticide Applicator Recertification: Online Training – Course Design and Structure" which includes discussion of online training features that are consistent with the intent and structure of the proposed interactive online and webinar course features. For these reasons, as well as to improve upon DPR's current CE program functionalities, DPR proposes to incorporate more specific requirements for these types of courses that align with how these States' departments have successfully administered a CE program and the CTAG guidance. These features are California-specific (not specified in 40 CFR Part 171) and some features, such as requirements pertaining to quizzes and final exams and prevention of fast forwarding, are current practices. As stated previously, these features ensure courses meet the standards of 40 CFR Part 171.107(b)(2)(i) and (ii).

Proposed subsection (b)(1) requires a course to have features for monitoring and ensuring course attendance and participation, such as: random pop-up questions, check boxes, and/or key codes that must be responded to by the participant and that will automatically log the participant out of the course if the monitoring events are not responded to. In addition, courses must include a minimum of three of these participation response actions per hour, at least one of which occurs at an irregular interval. This feature ensures attendees actively participate, and is necessary to help sponsors monitor if attendees are present for the entirety of a course to further ensure attendees only obtain CE credit for the amount of time spent in a CE course.

Proposed subsection (b)(2) requires a course to have features to prevent an attendee from fast forwarding through any portion of the course or participating in more than one course simultaneously. This is necessary to ensure attendees are receiving complete information and instruction from a CE course attended and used to renew their licensure, as attendees should be attentive in receiving important pesticide applicator knowledge and updated information relevant to their license or certification. This is also consistent with current practice.

Proposed subsection (b)(3) requires a course to have features for time stamping the course and tracking when an attendee starts the course, completes the course, and total time spent on the course. This attendance information must be recorded and retained by the sponsor in accordance with section 6513. This feature is necessary as it also helps sponsors monitor and ensure that attendees are present for the entirety of a course, further ensuring that attendees only obtain CE credit for the amount of time spent in a CE course. This is also consistent with current practice.

Proposed subsection (b)(4) requires courses to have a username and password used to access the course that is unique for each license or certificate holder. This feature is necessary to track an individual's attendance in a course and ensure that no other individual is attending a course on the behalf of a license or certificate holder as the username is specific to the individual and password is only known to the individual. This is also consistent with current practice.

Proposed subsection (b)(5) requires interactive online courses longer than one hour to have a minimum 5-question quiz meeting the requirements in proposed section 6512.2(c) for every hour of accredited time. A minimum of 5-questions is necessary as each question would cover approximately 10 minutes of a presented topic, covering the majority of what is presented in an hour. The requirement for this to occur every hour of accredited time ensures attendees are participating in the CE course by responding to course specific questions.

Proposed subsection (b)(6) requires interactive online or webinar online course to have a minimum 10-question final examination that meets the requirements specified in proposed section 6512.2(c) upon conclusion of a course. This requirement is necessary to ensure attendees participated and were present throughout the duration of a course. This is also necessary to ensure that the hours an attendee receives for a CE course accurately reflect their participation, as is consistent with proposed section 6512.3(e). This is also consistent with current practice.

Proposed subsection (b)(7) requires an interactive online or webinar course submitted for approval to include a copy of all quiz and exam questions. This requirement ensures DPR can verify that questions used are appropriate, meet DPR's standards in accordance with proposed section 6512.2(c), and are related to the CE course submitted for approval. This is also consistent with current practice.

Proposed subsection (c) includes some of the existing quiz and final examination requirements in section 6512(f) and establishes additional quiz and final examination requirements that courses must meet. Subsection (c) is necessary to ensure these courses meet the standards of 40 CFR 171.107(b)(2)(iii). These requirements are California-specific (not specified in 40 CFR Part 171) and some requirements, such as requiring questions to be on course content, are current practices. As stated previously, these features ensure courses meet the standards of 40 CFR Part 171.107(b)(2)(iii).

Proposed subsection (c)(1) will require quiz and final examination questions to be directly derived from course content and answerable based on the content presented in the course. This will ensure that all CE course content, including questions, is consistent with content specified in proposed section 6512(b). In addition, this is necessary to ensure questions are fair and cover content that the attendee would have learned during the course. Without this specification, questions on unrelated topics may be asked. This is also consistent with current practice.

Proposed subsection (c)(2) will require quiz and final examination questions to be in multiple choice format with one correct answer and at least two plausible but incorrect options and must not contain "all of the above," "none of the above," or other all-inclusive response options. This is necessary to ensure that CE course questions are consistent in formatting with DPR's licensing and certification examinations. Without requiring two plausible, but incorrect options, the correct answer will be obvious and the examination will not accurately assess the attendee's knowledge. In addition, all-inclusive response options will not be permitted as attendees only need to have partial knowledge to identify the correct answer.

Proposed subsection (c)(3) will require interactive online quizzes to be passed with a score of 70 percent or greater before the attendee is allowed to advance in a course. It will also require the final exam to be passed with a score of 70 percent or greater before a course completion certificate may be issued to the attendee. Requiring individuals to pass a quiz and final exam ensures that they are present and attending the entirety of a course, and ensures attendees only obtain CE credit for a course they completed. In addition, DPR proposes a passing score of 70 percent or greater for consistency with the passing score required to obtain a license or certificate (section 6504 and proposed section 6580.2). This is also consistent with current practice.

Proposed subsection (c)(4) requires webinar online final examinations to be passed with a score of 70 percent or greater before a course completion certificate may be issued to the attendee. Requiring individuals to pass a final exam ensures that the attendees are present and attending the entirety of a course, and ensures attendees only obtain CE credit for a course they completed.

In addition, DPR proposes a passing score of 70 percent or greater for consistency with the passing score required to obtain a license or certificate (section 6504 and proposed section 6580.2). This is also consistent with current practice.

Proposed subsection (c)(5) requires different versions of quizzes and final examinations to be available for retest, if the sponsor allows the option to retest. Different versions may be achieved by presenting new questions to the attendee or by varying the order of questions and answers each time the final exam is taken. This requirement is necessary to ensure that attendees pass a quiz or examination based on their knowledge of the CE course content and not based on memorization of a failed quiz or examination that they took several times. This is also consistent with current practice.

Subsection (d) clarifies the requirements that a previously approved interactive online or webinar course must meet when a sponsor submits the same course for approval in a subsequent year. This ensures courses resubmitted each year are updated with the most current pesticide and pest management focused information as regulations, laws, and pest management practices change, and this further ensures that attendees receive a variety of current information applicable to their certification. In addition, by requiring questions that are different from the preceding year, this will ensure attendees pass courses based on knowledge presented at the course and not from memorization of a previous year's course.

Proposed subsections (b), (c), and (d) are included and necessary to comply with 40 CFR 171.303(b)(4)(iv)(C) and (D).

Lastly, proposed subsection (e) establishes that the Director may deny a submitted interactive online or webinar course that does not meet the criteria in proposed sections 6512 and 6512.2, and specifies resubmission requirements for previously denied online courses, which is consistent with the proposed denial process in proposed section 6512(e). DPR's authority to approve or reject courses is given by FAC section 11502.5. This is a California-specific requirement (not required by 40 CFR Part 171) and consistent with current practice. It is necessary to further clarify that denied interactive online and webinar courses must be revised prior to resubmission, as the need to make corrections or revisions prior to resubmission is a common misunderstanding for CE course sponsors. In addition, given the complexity of evaluating these courses under the proposed regulations, it is necessary for the revised course to be resubmitted in accordance with 6512.2(a) to ensure it sufficiently meets course requirements. This is a California-specific requirement (not required by 40 CFR Part 171) and a necessary clarification for CE sponsors.

The requirements of section 6512.2 ensure that courses approved by DPR meet the appropriate competency standards to recertify commercial pesticide applicators. The adoption of section 6512.2 complies with the requirements of 40 CFR 171.107(b)(2), 171.303(b)(4)(iv)(B), 171.303(b)(4)(iv)(C), and 171.303(b)(4)(iv)(D).

- **3 CCR Section 6512.3. Continuing Education Course Sponsor Requirements**

DPR proposes to further clarify specific responsibilities of CE course sponsors in proposed section 6512.3 to improve clarity for CE sponsors. The proposed adoption is necessary to comply with 40 CFR 171.107(b)(2) and 171.303(b)(4).

DPR proposes to adopt section 6512.3 to establish requirements and standards that a CE course sponsor must meet and maintain in order to sponsor a DPR-approved online or in-person course. Proposed subsection (a) requires sponsors to ensure CE course information used for advertising is true and not misleading. This is to ensure license holders are taking courses that are applicable to their licensure, so they can comply with proposed section 6511, and to protect license holders from taking a course that is different than the one they signed up for (i.e., a course that may not be applicable to their licensure if misled by a sponsor's inaccurate advertising). This is a California-specific requirement (not required by 40 CFR Part 171) and also consistent with current practice.

Proposed subsection (b) requires course instructors and speakers and course content developers to be competent and knowledgeable in the subject matter. This ensures the ongoing quality of DPR's CE program and that CE courses are administered and developed by individuals who are able to clarify, provide further information on, answer all questions, and discuss in detail the topics that are presented during a CE course. This requirement further ensures CE course attendees receive the best knowledge and current information on the presented topics related to pesticides and pest management, as is the purpose of CE (i.e. to ensure license and certificate holders keep their knowledge current in the areas of: pesticide laws and regulations; proper, safe, and effective pesticide use; protection of public health, environment, and property; and safe working conditions for those working with or around pesticides). This is a California-specific requirement (not required by 40 CFR Part 171) and overall consistent with current practice.

Proposed subsection (c) requires CE sponsors to verify an individual's successful completion of a course by verifying an individual's identity prior to issuing a record of course completion. Subsection (c)(1) specifies acceptable means of identity verification for in-person CE courses, and subsection (c)(2) specifies acceptable means of identity verification for interactive online and webinar CE courses. This ensures there is a process in place to verify an individual's successful completion of a course, and to comply with the requirement of 40 CFR 171.303(b)(4)(iv)(C). The proposed means of verification in subsections (c)(1)(A) and (c)(2) are consistent with identity verification requirements in all other proposed sections (i.e., 6502, 6504, 6508, 6512.2, and 6580.1) pertaining to initial certification, name changes, and identity verification processes for interactive online and webinar courses. In addition, (c)(1)(B) is being added to allow sponsors flexibility in the methods used to verify an attendee's identity, as advances in technology capable of identity verification exist and may be sufficient in meeting this requirement. This is a California-specific requirement (not required by 40 CFR Part 171) and ensures the correct individual receives CE credit that they have completed.

Proposed subsection (d) requires a sponsor to present a course according to the approved agenda and submit changes to an approved agenda or syllabus to the Director, in writing. This further ensures CE sponsors follow a DPR-approved agenda or syllabus, which is necessary to ensure attendees receive the same amount of CE hours and information that the course has been approved for. In addition, DPR proposes to specify that any changes to an already approved agenda or syllabus must be submitted for approval in writing. This provides the CE sponsor with a solution if they wish to make any changes after a course is approved and helps them avoid noncompliance with proposed section 6512.4(a)(1). This is consistent with the process proposed in section 6512.1(e). These are California-specific requirements (not required by 40 CFR Part 171) and are consistent with current practices.

Proposed subsection (e) requires sponsors to have sufficient resources available for verifying and monitoring attendance and participation, and provides examples of these types of situations. This is a California-specific requirement (not required by 40 CFR Part 171) and ensures there is a process to verify an individual's successful completion of a course, which is necessary to comply with the requirements of 40 CFR 171.303(b)(4)(iv)(C). This requirement will also help ensure that an individual only receives credit for the time they spend present in a course.

Proposed subsection (f) clarifies that CE course credit is given on a one-to-one basis in the appropriate category. This is necessary to clarify DPR's CE course approval structure for proposed sections 6512.1 and 6512.2 and to comply with the requirements of 171.303(b)(4)(iv)(B and C). Proposed subsection (f) specifies that CE credit is given on a one-to-one basis; this clarifies that for each minute an attendee is present for a CE course, they would receive one minute of CE applicable for their renewal. This is the current structure used for CE courses and a California-specific requirement (not required by 40 CFR Part 171); it is necessary to clarify how sponsors shall give credit and to provide transparency to attendees on how they will receive credit.

Proposed subsection (g) clarifies that CE sponsors shall give records of course completion to attendees only upon the conclusion of the attendee's participation in the course and that these records shall reflect the actual hours earned by each attendee. This ensures a license or certificate holder only receives a record of completion after the course has been completed and only receives CE hours for the portion of the course attended (if less than the full hours approved by DPR). This is a California-specific requirement (not required by 40 CFR Part 171) and consistent with current practice.

These requirements in proposed section 6512.3 have been added to ensure the quantity, content, and quality of DPR's CE program. These additions comply with the requirements of 40 CFR 171.107(b)(2), 171.303(b)(4)(iv)(B), and 171.303(b)(4)(iv)(D).

- **3 CCR Section 6512.4. Rejection or Revocation of Continuing Education Course Hours**

DPR proposes to include DPR's authority to audit or deny CE courses in proposed section 6512.4 to improve clarity for CE sponsors.

DPR proposes to adopt section 6512.4 to establish that CE courses given by any course sponsor may be audited or monitored, and that approval of CE hours for a course may be revoked when it does not follow the agenda or syllabus approved by DPR or covers false or misleading information. Proposed subsection (a)(1) clarifies that sponsors must present CE course information as approved by DPR only, as this is often unclear to sponsors, and ensures that attendees receive information that qualifies for CE. DPR also proposes in subsection (a)(2) to revoke approval of CE hours when the course sponsor has violated FAC section 11792 in connection with that course; which further clarifies DPR's enforcement authority in regulation. Additionally, DPR proposes to establish in subsection (b) that a CE course may be rejected or revoked if the course sponsor has violated any provision of Division 6 of the FAC or regulations adopted pursuant to that Division in connection with that CE course. This section ensures sponsors cover the number of hours and content specified in their applications under 6512 through 6512.2 as is necessary to maintain the quality of DPR's certified applicator recertification program. These are California-specific requirements and current practices (not required by 40 CFR Part 171). These additions comply with the requirements of 40 CFR 171.107(b)(2), 171.303(b)(4)(iv)(B), 171.303(b)(4)(iv)(D), and 171.303(b)(7).

- **3 CCR Section 6513. Records of Continuing Education Courses**

DPR proposes to amend section 6513 to improve clarity, make grammatical and editorial corrections, and conform with 40 CFR 171. DPR proposes to delete "or programs" throughout section 6513 for consistency with verbiage in other regulations pertaining to CE courses and with terminology used by DPR and course sponsors to prevent confusion.

DPR proposes to amend subsection 6513(a)(1) to make grammatical and editorial corrections that better clarify the current CE record keeping requirements of a course sponsor. Proposed amendments include clarifying that records must be kept for each course presented by a CE sponsor and for all license and certificate holders in attendance. This is necessary as the current subsection does not specify that these requirements apply to each course and all license and certificate holders in attendance. This is a California-specific requirement (not required by 40 CFR Part 171) and is also consistent with current practice.

DPR proposes to amend subsection 6513(b)(1) by adding a reference to section 6584 to extend the recordkeeping responsibility to private applicators. This ensures recordkeeping requirements for private applicators are consistent with the recordkeeping requirements for all other DPR license and certificate holders required to obtain CE. Private applicators are required to complete DPR-approved CE courses, as approved under proposed section 6512, for certificate renewal and submit a renewal application. This amendment ensures consistency in recordkeeping

responsibilities across all licensees who obtain CE. In addition, this is necessary to be consistent with proposed subsection 6584(c) for private applicators. This is a California specific requirement (not required by 40 CFR Part 171).

DPR proposes to amend section 6513(c) by renumbering parts of the section to improve clarity, and amending (c)(6) and (c)(8) to clarify information that must be included in CE records. Subsection (c)(6) currently requires the CE records to include the date of the course. Proposed (c)(6) clarifies that the CE record must include the completion date of the CE course. This clarification is necessary as CE courses may be completed on a date that a course was not presented (i.e. pre-recorded, online). Amendments to existing subsection (c)(8) will clarify that the license or certificate holder's signature is to confirm their attendance; this clarification verifies that a license holder acknowledges they were present for the amount of time reflected on their CE completion record. Additionally, this requirement, which is currently in subsection (c)(8), is being renumbered to subsection (c)(9). These amendments are necessary to comply with 40 CFR 171.107(b)(2)(iii).

DPR proposes to amend section 6513(d) to require CE sponsors to submit their records to DPR. These records are necessary for recordkeeping and CE verification purposes, as DPR will use the submitted information to verify that a license holder's CE records summary sheet (page 2 of the Individual License/Certificate Renewal Application LIC-141 (Rev. 07/23) incorporated by reference in section 6502(c)) is consistent with DPR's records and to resolve any attendance issues that may be in question for a license or certificate holder during renewal. The proposed subsection requires the sponsor to submit these records, containing the information specified in (c)(1-8), for all license and certificate holders who attended their course within 14 days after the course occurrence. The amendments also specify where sponsors are required to submit this information and attest to the fact that the records submitted are true and correctly reflect the CE hours earned and accredited to each attendee. The amendments to subsection (d) ensure submission consistency for all CE sponsors through a common submission format, enables DPR to verify a license holder's completion hours on the behalf of both sponsors and license holders, if necessary, and verifies that CE sponsors acknowledge that their submissions are in accordance with the requirements of section 6513(a). This is a California-specific requirement (not required by 40 CFR Part 171) and necessary to confirm CE hours of licensees for renewal purposes. These amendments are to comply with 40 CFR 171.107(b)(2) and 171.303(b)(4)(iv)(C-D).

DPR proposes to adopt subsection (e) to relocate information in current subsection (d) pertaining to record requests. Furthermore, the requirement that records must be submitted to CACs upon request is a California-specific requirement (not required by 40 CFR Part 171), however, is necessary for CACs to be able to verify private applicator CE records, if necessary, as CACs are responsible for issuing and renewing private applicator certificates.



## **40 CFR 171.201 – REQUIREMENTS FOR DIRECT SUPERVISION OF NONCERTIFIED APPLICATORS BY CERTIFIED APPLICATORS**

In general, 40 CFR 171.201 specifies requirements for certified applicators supervising noncertified applicators using RUPs and for noncertified applicators using RUPs under the direct supervision of a certified applicator. Certified applicators are required to have knowledge of applicable Federal, State, and Tribal supervisory requirements regarding the use of RUPs by noncertified applicators, be certified in a category that is applicable to the supervised pesticide use, and ensure a noncertified applicator using RUPs meets specific requirements. Certified applicators must ensure that each noncertified applicator meets the base training qualifications and minimum age before applying RUPs. Currently, 3 CCR section 6406 requires that the certified applicator responsible for supervision be available to direct and control the manner in which applications are made by the noncertified applicator. Additionally, sections 6404, 6406, 6540, 6612, 6724, and 6742 have basic requirements for the supervision of noncertified applicators.

Many of DPR's regulations already meet or exceed the federal requirements in 40 CFR 171.201. However, DPR's regulations, specifically the worker safety regulations, often focus on the employer-employee relationship (such as in section 6724) rather than the certified-noncertified applicator relationship in 40 CFR Part 171. In California, in most instances, the responsibility and compliance to provide safe and proper pesticide applications falls on the employer rather than the certified applicator. To incorporate the changes required by 40 CFR Part 171 into California's pesticide regulations, DPR is proposing to amend existing employer-focused regulations, where appropriate, rather than proposing a duplicate set of requirements for certified applicators to follow. This is necessary to keep the regulations streamlined, and help employers and certified applicators easily find these requirements by organizing them in one place for improved clarity and increased compliance. These proposed changes will provide benefits to both non-certified employees handling restricted materials and the environment. For example, noncertified applicators will receive improved training on how to handle restricted materials and on the safe use of any equipment used for handling or applying pesticides. These changes will reduce improper applications and accidental exposure or poisonings. Better trained applicators will be better able to understand and follow pesticide use requirements, ensuring that applications are made legally and follow requirements of pesticide product labeling, California laws and regulations, and any restricted material permit conditions.

DPR proposes to amend sections 6404, 6406, 6540, 6612, 6724, and 6742 by expanding and clarifying supervision and training standards to be consistent with requirements in 40 CFR section 171.201.

- **3 CCR Section 6404. Use Limitations**

DPR proposes to amend the previously repealed section 6404 and rename the section to "Use Limitations," which provides specific use limitations for restricted materials. Section 6404(a)

establishes that restricted materials shall only be used by or under the direct supervision of a certified applicator operating within the scope of the category they are certified in, which is consistent with 40 CFR 171.201(b)(1)(ii). This provision is also consistent with FAC section 14015, which requires that restricted materials be possessed, used, or supervised only by a certified private or commercial applicator.

Proposed section 6404(b) specifies that an applicator who does not possess the appropriate category, branch, or type of certification for the intended use of the pesticide being used must operate under the direct supervision of a certified applicator with the certification category and scope of certification for the intended use. This is consistent with 40 CFR 171.201(b)(1)(ii) and 171.201(c)(4).

Proposed section 6404(c) establishes that a restricted material labeled as a fumigant shall only be used by or under the direct supervision of a certified commercial applicator. This provision is more restrictive than 40 CFR Part 171 requirements as it limits the use or supervised use of fumigants (with the exception of those labeled for the control of burrowing vertebrate pests as proposed in section 6404(d)) to certified commercial applicators only. This is necessary to ensure the safety of private applicators and aligns with activities that are most commonly conducted by them. In general, fumigation activities, with the exception of those that are for the control of burrowing vertebrate pests, are higher risk applications that require specialized training and equipment to comply with pesticide labeling requirements. As a result, the proposed regulations limit private applicator fumigant use to situations that are most common to their pest control activities that are in support of producing an agricultural commodity (i.e., burrowing vertebrate pest control) to ensure that these applicators possess the required knowledge, skills, and information to safely conduct the limited fumigation activity. Additionally, this is consistent with proposed section 6580.1(b). This proposed supervision clarification is consistent with 40 CFR 171.201(b)(1)(ii).

In section 6404(d), DPR proposes to establish use limitations for certified private applicators. Private applicators will be allowed to use or supervise the use of restricted materials labeled as a fumigant for the control of burrowing vertebrate pests when certified in accordance with section 6580.2(c). This is necessary for the same reasons described above regarding the proposed private applicator examination requirements in subsection 6580.1(b). The Federal Economic Analysis of Final Amendments to 40 CFR Part 171: Certification of Pesticide Applicators estimates, overall, that very few private applicators will be conducting soil and non-soil fumigations. Specifically, the federal analysis estimates this population to be 7% of the total private applicator population within California. (U.S. Environmental Protection Agency, 2016) Based on this information and the types and extent of private applicator fumigation applications that currently occur within California, DPR is proposing to limit the fumigation activities performed by private applicators to burrowing vertebrate pest control only. In general, fumigation activities other than for the control of burrowing vertebrate pest are higher risk applications that require specialized training and expensive equipment to comply with pesticide labeling requirements. Fumigant applications cause a greater risk to applicators than other pesticides due to their toxic chemical nature, high

volatility, and specialized application methods and therefore, require additional knowledge expectations associated with safety and specific use. As a result, the proposed regulations limit private applicator fumigant use to situations that are most common to a private applicator's pest control activities in support of producing an agricultural commodity (i.e., burrowing vertebrate pest control) and to ensure these applicators possess the required knowledge, skills, and information to safely conduct these limited fumigation activities.

For subsections (c) and (d), the limitation of fumigant activities by private applicators is specific to California and is more restrictive than the requirements in 40 CFR Part 171; however, this limitation is necessary for the reasons stated above (also see section 6580.1).

In addition, DPR proposes to amend the Authority and Reference citations to reflect the authority and reference consistent with the proposed text.

- **3 CCR Section 6406. Supervision Standards**

DPR proposes to amend section 6406 to clarify the supervision standards for certified applicators. The current text of section 6406 will be largely relocated into proposed subsection (b)(4) and amended as described below. DPR proposes to adopt a new subsection (a) to provide examples of individuals who are “noncertified applicators.” These examples are consistent with the definition of “noncertified applicator” in 40 CFR section 171.3. The first example in subsection (a)(1) is an employee trained to handle pesticides who is not a certified applicator. With the changes proposed to section 6724, this will be consistent with the training and supervision requirements of 40 CFR section 171.201(c)(2) and (3). The second example in subsection (a)(2) is a certified applicator whose category(ies) or scope of certification are not applicable to the intended pesticide use. This is consistent with the requirement of 40 CFR section 171.201(c)(4). The third example in subsection (a)(3) is a manned or unmanned apprentice pilot. FAC section 11905 requires a two-tiered structure for pest control pilot certification: apprentice and journeyman. While an apprentice pilot must pass the core laws and regulations exam like all certified applicators, they are not “certified commercial applicators” under the definition in section 6000. In addition, FAC section 11909 requires all pest control by apprentice pilots to be supervised by a journeyman pilot (a certified commercial applicator). The final example in subsection (a)(4) is an individual certified by another state or jurisdiction who is not a certified private or commercial applicator in California. Due to the unique nature of pesticide use in California, applicators certified by other states or jurisdictions will not be granted equivalency. As a result, these individuals must be supervised by a California certified applicator, consistent with proposed section 6404 and 40 CFR section 171.201(c)(4). Providing examples of the types of individuals considered noncertified applicators is not specifically required by 40 CFR, however these examples are included to provide clarity and describe the specific individuals in California who are considered noncertified applicators.

Proposed subsection 6406(b) lists the requirements that a certified private or commercial applicator, who is responsible for supervising a noncertified applicator using a restricted

material, shall meet. Proposed subsection (b)(1) requires the certified applicator to have practical knowledge of applicable requirements found on restricted material pesticide labeling and in California pesticide laws and regulations. This is consistent with 40 CFR section 171.201(b)(1)(i). Proposed subsection (b)(2) requires the certified applicator to verify current training records required by section 6724 that document training on the restricted material(s) used by a noncertified applicator working under their direct supervision. This is consistent with 40 CFR section 171.201(e)(2), and is being expanded to include private applicator supervision for consistency with the scope of this section and to ensure a uniform standard for all individuals considered certified applicators in California. Proposed subsection (b)(3) requires the certified applicator to provide instructions to the noncertified applicator(s) specific to the application site in a manner in which they can understand. This is consistent with 40 CFR section 171.201(b)(3)(iii). Proposed subsection (b)(4) includes most of the existing text in section 6406 and is being relocated to subsection (b)(4) for readability. Minor grammatical edits are being made to the first sentence for clarity. In the second sentence, a reference to proposed subsection (c) is being added to clarify an exception to the availability of the certified applicator.

Section 6406(c) requires the certified applicator supervising the use of a restricted material to be physically present when required by pesticide product labeling, which is consistent with 40 CFR 171.201(b)(3)(vi). In addition to pesticide product labeling, DPR also proposes to clarify this subsection by identifying other sources that may require the physical presence of a certified applicator, namely regulations and restricted material permit conditions, as these sources may impose California-specific supervision requirements. Including other sources that may require physical presence of a certified applicator is not required by 40 CFR Part 171; therefore, this amendment exceeds the federal requirement but is necessary to include, as these sources are part of DPR's existing regulatory program.

Section 6406(d) lists exemptions to these supervision standards. States do not have jurisdiction over Tribal or Federal lands. Federal agency and Tribal certification plans approved by U.S. EPA under 40 CFR sections 171.305 and 171.307 must meet similar standards to the state plans. Therefore, DPR proposes to adopt subsection (d)(1) to clarify this section does not apply to these individuals on Tribal and Federal lands. Additionally, subsections (d)(2) and (3) are being added to provide exemptions to supervision for individuals conducting laboratory research involving restricted materials and Doctors of Medicine and Doctors of Veterinary Medicine applying restricted materials to patients during the course of the ordinary practice of those professions. Subsections (d)(2) and (3) are necessary to mirror the supervision exemptions in 40 CFR section 171.201(f).

- **3 CCR Section 6540. Apprentice Pilot Supervision**

DPR proposes to amend section 6540 to clarify requirements for journeyman pilots who are supervising apprentice pilots. Current section 6540(a) specifies the availability of a journeyman pilot responsible for the supervision of an apprentice pilot. While this applies to all pest control activities, to be consistent with 40 CFR 171.201(b)(3), DPR proposes to clarify that the

journeyman pilot's availability shall be directly related to the actual or potential hazard of the situation, unless pesticide labeling, permit conditions, or regulations require the certified applicator to be physically present as proposed in section 6406. Although not required by 40 CFR Part 171, DPR proposes this to apply when required by restricted material permit conditions or regulations as well because a restricted material permit condition or regulation in California may impose additional supervision requirements specific to California's landscape and environment. This amendment exceeds the federal requirement and is necessary as permit conditions and regulations are part of DPR's existing pesticide regulatory program. DPR proposes to relocate the existing requirements in subsection (b) to proposed subsection (c). In proposed section 6540(b), DPR proposes to require the journeyman pilot to ensure a means for the apprentice pilot to immediately communicate with the journeyman pilot. Examples of direct communication, such as voice or two-way radio are being added to provide clarity and ensure employers know what means of immediate communication are acceptable. Indirect communication, such as text messaging or e-mail, does not meet the requirement due to the delay time in communication associated with using these methods. These examples are not specified in 40 CFR Part 171 and their adoption is necessary to provide clarity, describe the specific modes of communication, and to distinguish what methods are considered immediate communication. This amendment is consistent with 40 CFR 171.201(b)(3)(v).

- **3 CCR Section 6612. Age**

DPR proposes to amend section 6612 by reformatting the section and adding a provision that prohibits a minor under 18 years of age from handling a restricted material. Proposed subsection (a) is being added for consistency with 40 CFR section 171.201(b)(2)(iii). DPR is not proposing to adopt U.S. EPA's exemption allowing immediate family members of private applicators to be 16 and older if certain conditions are met. This exemption would apply to very few individuals (those that conduct pest control in settings other than for the production of an agricultural commodity and allow individuals between the ages of 16-18 to be supervised by an immediate family member (both requirements must apply)). In addition, the minimum age of 18 is consistent with other proposed requirements pertaining to admission to examinations and handling activities. As a result, DPR's minimum age of 18 for all individuals handling restricted materials, in some circumstances (as noted above), exceeds the requirements of 40 CFR Part 171; however, this ensures an age requirement most appropriate to pesticide use situations in California and ensures a consistent standard across DPR's regulations. For clarity, much of the current text of section 6612 is being relocated to proposed subsection (b) and current subsections (a) through (c) are being renumbered accordingly. In subsection (b)(2), DPR proposes to clarify that the term, "closed system," includes closed transfer and mixing systems. The term "closed transfer system" is a term commonly found on pesticide product labeling and is a type of closed system. "Closed mixing system" is a term used to refer to specific types of closed systems consistent with the 2016 revisions to 3 CCR section 6746 (OAL File No. 2015-0924-01S). These clarifications to the term "closed systems" are specific to California (not required by 40 CFR Part 171) and are necessary to clarify when age restrictions are applicable according to pesticide product labeling or regulations.

- **3 CCR Section 6724. Handler Training**

U.S. EPA granted DPR's worker protection regulations, including section 6724, equivalency with the federal Worker Protection Standard (WPS) in 40 CFR Part 170 as DPR's regulations provide at least the same level of protection for agricultural handlers as the federal WPS. The scope of noncertified applicator training required by 40 CFR section 171.201(b)(2) applies to any handler using a RUP under the supervision of a certified applicator, a different scope than the WPS. To meet the requirements of 40 CFR section 171.201(c) and to consolidate similar requirements in one place within 3 CCR, some changes to DPR's handler training regulation are necessary to incorporate the requirements of 40 CFR section 171.201(d) and to improve compliance by limiting the amount of searching of various regulatory sections the public must do to obtain the required information.

DPR proposes to amend section 6724 to establish additional training requirements for employers of employees who handle pesticides before they are allowed to use restricted materials. The proposed amendments to section 6724 are related to worker safety because the requirements protect workers who may be exposed to pesticides. Throughout this section, "assure" is being changed to "ensure," and "person" is being changed to "individual" for consistency with language in other code sections. Section 6724(b)(1) is being reworded for improved readability, and being amended to align with the requirements in 40 CFR 171.201(d)(xv). As handler training topics potentially apply to all employees handling pesticides, DPR is proposing to amend subsection (b)(17) to align it with 40 CFR 171.201(b)(2)(iii) and the proposed changes to section 6612 to ensure training covers the requirement that handlers must be at least 18 years of age to handle restricted materials. Current requirements in subsection (b)(23) are being renumbered to (b)(25) in order to add new subsections (b)(23) and (24). This reorganization is necessary to improve readability. In proposed section 6724(b)(23), DPR proposes to add training specific to restricted materials, which includes RUPs, to align with 40 CFR 171.201(d)(xv) and (xx). This ensures that all employees handling pesticides can identify California restricted materials and federal RUPs, and know when those pesticides can be used by the handler. Section 6724(b)(24) adds training topics for restricted materials, including RUPs, to align with the training requirements in 40 CFR 171.201(b)(3)(v), 171.201(d)(3)(xv) and (xxi), and proposed 3 CCR section 6731.

Section 6724(c) is being rewritten to improve clarity, and to ensure that training for all employees handling pesticides is at a location reasonably free from distraction and that trainers are present throughout the presentation. Currently, these requirements only apply to employees handling pesticides used for the commercial or research production of an agricultural commodity, so DPR proposes to remove that specification to ensure the requirement applies to all employees handling pesticides. These training requirements are necessary to ensure all employees handling pesticides are taught in a setting where they are able to focus on the material with a trainer accessible to them during the presentation. Requiring that the training be reasonably free from distraction and provided to any employee handling a pesticide is not

required by 40 CFR Part 171 and is a California-specific requirement that is necessary to ensure trainers conduct trainings in an appropriate setting where individuals can best retain information and that all individuals receive proper training to protect themselves and the environment. This section is also overall consistent with 40 CFR 171.201(d)(1). In addition, a cross-reference is being added to clarify that the written training program is the program specified in subsection (a).

In section 6724(d), DPR proposes to add “private or commercial” before applicator to clarify that this subsection is applicable to both types of certified individuals, and to maintain consistency with language in other code sections and definitions in section 6000. Furthermore, apprentice pilots, both manned and unmanned, are being considered as trained for the purposes of this section for consistency with 40 CFR 171.201(c)(3). Although apprentice pilots are not considered “certified commercial applicators” by definition in section 6000, apprentice pilots must pass the same core laws and regulations exam as certified commercial applicators, which includes the training topics detailed in section 6724(b), to obtain an apprentice pilot certificate. In addition, apprentice pilots must work under the direct supervision of a certified journeyman pilot (a “certified commercial applicator”); which is also consistent with noncertified applicator (i.e., handler) supervision requirements. As a result of these requirements, DPR is considering an individual who holds an apprentice pilot certification as trained for the purposes of this section, as their training, knowledge, skills, and supervision requirements are equivalent to a trained pesticide handler. Because the apprentice pilot category is specific to California, this category is not specified in 40 CFR Part 171; this California-specific clarification is necessary for the reasons stated above and to accommodate this existing part of DPR’s licensing and certification program.

In subsection 6724(d)(1), DPR proposes to add recordkeeping requirements for employers supervising noncertified applicators. These requirements are consistent with 40 CFR section 171.201(e)(1)(iv) and consistent with the current scope of this section and section 6406. Specifically, subsection (d)(1) requires the employer to maintain records if an employee is a noncertified applicator, as listed in subsections (a)(2) through (a)(4) of section 6406, and is being supervised in accordance with subsection 6406(b). The records required by this subsection must be maintained by the employer for at least two years from the date of a use of a restricted material. This two-year period is consistent with many recordkeeping requirements in 3 CCR, Chapter 3 Pest Control Operations and 40 CFR section 171.201(e)(3). Proposed subsections (d)(1)(A) and (B) specify recordkeeping formats. The employer may use either recordkeeping format, as a copy of the employee’s license or certificate (subsection (d)(1)(A) option) contains all of the required information of the subsection (d)(1)(B) option, and both options meet the requirements in 40 CFR 171.201(e)(1)(iv).

Section 6724(e) is being split into an introduction and subsections (1) and (2). As mentioned above, the scope of DPR’s worker safety program covers all employees handling pesticides. The introduction is being rewritten to apply certain training recordkeeping requirements (currently specific to employees handling pesticides used for the commercial or research production of an

agricultural commodity) to all employees handling pesticides. These requirements are necessary to ensure a consistent statewide standard for employee training records, regardless of workplace, to increase readability, and to group similar requirements together. Expanding these recordkeeping requirements to all employees is not required by 40 CFR Part 171 but is necessary to ensure that all California-specific pesticide use situations that require training are documented. In the introduction, DPR proposes to specify that the record shall also be verified by the employee's printed name, include the title and source of training materials, and include the name of the employer and trainer. The title and source of training materials requirement is necessary for enforcement personnel to be able to verify that all materials meet the requirements of section 6724; this is a California requirement (not required by 40 CFR Part 171) and is overall consistent with 40 CFR 171.201(e)(1)(i)(D). Specifying that the record must include the printed name of the employer and trainer is necessary to further clarify 40 CFR 171.201(e)(1)(i)(C). As there are many people in an organization who may conduct handler training of employees, documenting the name of the person who conducted the training allows enforcement personnel to identify and interview the person who provided employee training in the event of an incident, employee complaint, or other issue. These requirements are being added to align with 40 CFR 171.201(e)(1)(i).

DPR proposes to amend section 6724(e)(1) to require the employer to provide the training record to their employee, the Director, or commissioner upon request. This requirement is for clarity, combining the existing training record access requirements in sections 6140(b) and 6723(d), and aligning this requirement with the federal WPS (40 CFR section 170.501(d)(2)). Additionally, 40 CFR 171.201(e)(3) requires a commercial applicator, supervising any noncertified applicator, to have access to training records at their principal place of business. For consistency with this requirement, DPR proposes to require the employer to make training records accessible to a certified applicator supervising an employee using a California restricted material. In most cases, the certified applicator and the noncertified applicator will work for the same employer or business; however, with the wide diversity of pesticide use situations in California, this is not always the case. Currently, the employer is required to maintain training records. Under the proposed amendment, the employer will be required to provide the certified applicator with access to these handler training records. In addition, proposed section 6406(b)(2) will require all certified applicators to verify the noncertified applicator's training records and document their training on the restricted material(s) used and applicable use situation(s). In lieu of requiring both the employer and certified applicator to keep two sets of records, DPR proposes to amend 6724(e)(1) to require the employer to allow access to the handler training records for a supervising commercial applicator. This will ensure a commercial applicator can comply with the requirement in 40 CFR 171.201(e)(2), conform with 40 CFR section 171.201(e)(3), and extend the record availability requirement to private applicators enabling them to comply with proposed section 6406(b)(2). This is a California-specific approach (not detailed in 40 CFR Part 171) that ensures the requirements of 40 CFR Part 171 pertaining to record verification are met, while also ensuring requirements are not duplicative of California's existing regulations.



DPR proposes to amend subsection (e)(2) to specify that records must include the qualifications of the trainer who trained an employee handling pesticides used for the commercial or research production of an agricultural commodity or handling a California restricted material specified in section 6400. 40 CFR 171.201(d)(2) requires the person conducting training of noncertified applicators handling an RUP to meet one of the following listed criteria, at minimum: (1) be currently certified as an applicator of RUPs; (2) be designated by that State as a trainer of certified applicators; or (3) have completed an approved train-the-trainer program. The individuals who meet one of these criteria are listed in section 6724(f) as qualified to train pesticide handlers in California. As discussed above, 40 CFR 171.201(e)(1)(i)(C) requires documentation of the name of the person who provided the training to a noncertified applicator. However, there are many individuals with the same name who are qualified to conduct handler training per section 6724(f). Therefore, subsection (e) currently requires the trainer's qualification (i.e. license type and license number) to be documented on the record for employees handling pesticides used for the commercial or research production of an agricultural commodity. DPR proposes to add "or handling a California restricted material specified in section 6400" to proposed subsection (e)(2) to specify that the trainer's qualifications are required in the record for employees handling these pesticides and are those in subsection (f). This is a California-specific requirement (not required by 40 CFR Part 171) and is a current practice for some (individuals who currently handle pesticides used for the commercial or research production of an agricultural commodity), and is necessary to include all pesticide use situations that apply to California. Listing the trainer's qualifications helps ensure the employee was trained by a trainer who meets the criteria in 40 CFR 171.201(d)(2) and is necessary to help distinguish between these individual's names and allow enforcement personnel to verify compliance with the training requirement of subsection (f). In addition, because proposed subsection (e) now requires all records to include employee name, title(s) and source(s) of training materials used, employer's name and trainer's name, DPR proposes to remove that information from proposed subsection (e)(2) as it is duplicative. DPR also proposes other editorial additions for clarity.

In section 6724(f), DPR proposes to replace "person" with "individual" to align with language proposed in other sections in this rulemaking. Additionally, DPR proposes to clarify that these individuals may also conduct training for employees handling a California restricted material for consistency with proposed amendments in this rulemaking, amendments to other subsections of 6724, and the requirements of 40 CFR section 171.201(d)(2). DPR is proposing editorial changes to the list of individuals who can perform this training. For clarity and consistency with other changes being made in this rulemaking, DPR proposes to combine private and commercial applicators in subsection (f)(1) and renumber the rest of the list accordingly.

- **3 CCR Section 6731. Employee Communication**

DPR proposes to adopt section 6731, specifying that the employer shall ensure a means for an employee using a restricted material under the supervision of a certified applicator to immediately communicate with the supervising certified applicator. This requirement is

consistent with 40 CFR 171.201(b)(3)(v). However, DPR is providing an exception for apprentice pilots as a means for immediate communication has already been established for them in proposed section 6540. Examples of direct communication, such as voice or two-way radio are being added to provide clarity and ensure employers know what means of immediate communication are acceptable. Indirect communication, such as text messaging or e-mail, does not meet the requirement due to the delay time in communication associated with using these methods. These examples are not specified in 40 CFR Part 171, but are necessary to provide clarity, describe specific modes of communication, and distinguish what methods are considered immediate communication. This proposed action relates to worker safety because the requirements protect workers who may be exposed to pesticides by ensuring there is immediate communication between an employee and the supervising certified applicator.

- **3 CCR Section 6742. Safe Equipment**

DPR proposes to amend section 6742 to better organize the section and specify what type of instruction is necessary to ensure proper use of equipment by employees. In subsection (a), DPR proposes to require employers to instruct employees in the safe operation of any equipment related to pesticide use prior to the initial use of the equipment and annually thereafter. This is consistent with 40 CFR 171.201(b)(2)(ii) and the federal WPS (40 CFR 170.309(i)). However, DPR is proposing to expand this safety requirement to all employees covered by 3 CCR, Article 2 (General Safety Requirements). This expansion exceeds the requirements of 40 CFR Part 171, but is necessary to better protect all employees handling pesticides and the environment in California. Due to the addition of the proposed requirement in subsection (a), requirements in existing subsections (a) and (b) are being renumbered accordingly. In subsection (b), “assure” is being changed to “ensure” for consistency with language used in other code sections. Additionally, proposed subsection (b) is being amended and reworded to add additional requirements regarding equipment condition, requiring employers to also ensure the equipment is in operating condition as intended by the manufacturer and that it can be used without risk of reasonably foreseeable adverse effects to the employee, other persons, or the environment. This is necessary to align with 40 CFR 171.201(b)(3)(iv). Lastly, “altered to remove hazard” is being removed as it is no longer consistent with 40 CFR 171.201(b)(3)(iv) and the federal WPS (40 CFR section 170.309(j)), which require any damaged equipment be either repaired or replaced. This proposed action relates to worker safety because the requirements protect workers who may be exposed to pesticides by ensuring equipment is being used safely.

#### **40 CFR 171.303 – REQUIREMENTS FOR STATE CERTIFICATION PLANS**

In general, 40 CFR 171.303 includes the requirements a state certification plan must contain in order to certify pesticide applicators; the contents of a state certification plan that must be submitted to U.S. EPA to be considered for approval, and guidance on what a state may exclude from a certification plan - such as certain license/certificate categories, that are not relevant to the state. 40 CFR 171.303(b)(7) specifies the record keeping requirements for commercial applicators and pest control dealers using RUPs that are not detailed elsewhere in the federal

regulations. DPR's current regulations do not have in-depth detail on these topics that comply with all sections of 40 CFR 171.303(b)(7), so DPR is proposing to amend 3 CCR sections 6302, 6428, 6430, 6562, 6564, 6568, 6622, 6624, and 6624.5 and adopt section 6509 to add more specific information in regulations to comply with 40 CFR Part 171.

- **3 CCR Section 6509. Refusal, Revocation, and Suspension**

DPR proposes to adopt section 6509, "Refusal, Revocation, and Suspension," to clarify DPR's authority to refuse, revoke, or suspend a pest control aircraft pilot certificate, a qualified applicator license or certificate, or a private applicator certificate after a hearing. For certified commercial applicator licenses and certificates issued by DPR, under FAC section 11791(a), it is unlawful to engage in unfair practices (which includes operating in violation of Federal law). For private applicators, under FAC section 12991(c), it is unlawful to engage in illegitimate business (which includes acting in violation of Federal law). This addition further specifies that DPR can impose this authority if individuals are found in violation of FIFRA section 14(a) or (b). The addition of section 6509 is necessary for clarity and to meet the requirements of 40 CFR 171.303(b)(7)(i) and (ii).

- **3 CCR Section 6302. Sale of Agricultural Use and Restricted Material Pesticides**

Federally recognized tribes are considered sovereign nations and therefore are exempt from California requirements, such as obtaining a restricted material permit, for pesticide applications to tribal territories. However, licensed pest control dealers are subject to California's restricted material pesticide requirements, such as FAC section 14010 and 3 CCR section 6568. In subsection 6302(c), DPR proposes to clarify that individuals certified by a Tribe or U.S. EPA under a U.S. EPA-approved certification plan (40 CFR 171.307) are considered certified applicators under this subsection. This is consistent with 40 CFR section 171.303(a)(9)(i).

- **3 CCR Section 6414. Permit Exemptions**

As discussed above, federally recognized tribes are considered sovereign nations. DPR and CACs do not have jurisdiction over Tribal lands, the authority to regulate Tribal lands, nor the ability to impose restricted material permitting requirements on Tribal members on these lands. As sovereign nations, Tribes have the authority to make their own environmental laws. However, licensed pest control dealers are subject to California's pesticide sales requirements, and may be required to obtain a copy of a restricted material permit prior to sale. The proposed exemption in subsection 6414(g) is necessary to specify that an individual who is certified under a U.S. EPA-approved certification plan (40 CFR 171.307) is exempt from California's restricted material permitting requirements for restricted material use only on Tribal land. The proposed adoption of subsection 6414(g), in conjunction with current subsection 6568(a), proposed changes to subsection 6568(b), and FAC section 14010, will enable licensed dealers to sell restricted materials to these individuals without being provided a restricted materials permit. This is a California-specific exemption that is not required by 40 CFR Part 171, and is necessary to

include as, in some instances, these individuals may need to obtain the necessary restricted materials from a location off Tribal land, if not available on Tribal land.

- **3 CCR Sections 6428. Agricultural Permit Applications**

DPR proposes to amend section 6428 by splitting current subsection (i) into subsections (i) and (j) for clarity. The required certified applicator information will be moved to new subsection (j). Proposed subsection (j) is being amended to require that the individual's certification categories be listed on the permit application and to make minor grammatical changes for consistency with those being made throughout other amended sections. Requiring the categories to be listed on the permit is not required by 40 CFR Part 171 and is a California-specific requirement. This information is necessary to enable CACs to better evaluate the permit applications and ensure proposed pest control activities are performed by competent individuals licensed in the correct category(ies) as required by proposed section 6404. When issuing a permit, CACs include certified applicator information as part or along with the permit. Existing section 6568(a) requires each pest control dealer who sells a restricted material that requires a permit for its use or possession to obtain a copy of the permit before sale or delivery of the restricted material. As this information will be included on the permit, the proposed amendment in subsection 6428(j) is necessary for consistency and to ensure dealers have the information required to comply with the dealer recordkeeping requirements in 40 CFR section 171.303(b)(7)(vii)(B).

- **3 CCR Sections 6430. Nonagricultural Permit Applications**

Similar to the changes in proposed section 6428(j), DPR proposes to amend section 6430(g) to require that the individual's certification categories be listed on the permit application and to make minor grammatical changes for consistency with those being made throughout other amended sections. This is a California specific clarification and is not required by 40 CFR Part 171. These changes are necessary for the same reasons provided above regarding similar language proposed in subsection 6428(j).

- **3 CCR Section 6562. Dealer Records and Sales Reporting**

DPR proposes to amend 3 CCR section 6562 to add and clarify requirements for dealer records, and sales reporting. Subsection 6562(a)(1)(A) is being amended to include subsections (i)-(iii) to further clarify record keeping requirements for a dealer selling a pesticide listed in section 6400. Proposed subsection (a)(1)(A)(i) clarifies that the purchaser's name must include the name of the business, agency, or property operator, if applicable, and the name of the certified applicator purchasing the restricted material. Proposed subsection (a)(1)(A)(ii) specifies that if the purchase is made by a noncertified agent of a certified applicator, the record must record the name of the noncertified individual who made the purchase. Lastly, subsection (a)(1)(A)(iii) clarifies that the address required in subsection (a)(1) must be a residence or business address when a pesticide listed in section 6400 is purchased. These amendments to subsection (a)(1)(A) are necessary for compliance with 40 CFR 171.303(b)(7)(vii)(A). Subsection (a)(2) clarifies that the name of the

product be included in the record and adds requirements for the record to contain the product's U.S. EPA or California Registration Number as well as any applicable Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Section 18 emergency exemption or Section 24(c) special local need number. These amendments are being added and are necessary to comply with 40 CFR 171.303(b)(7)(vii)(A) and (C). Lastly, in subsection (b), "Director" is being capitalized to be consistent with other code sections.

- **3 CCR Section 6564. Appropriate Products**

DPR proposes to amend section 6564 by rewording the requirements to clarify pest control dealer sale responsibilities. Proposed amendments to subsection (a) will simplify the current text stating that a pest control dealer may not sell a registered pesticide product if the product label conflicts with the recommendation. Amendments to subsection (b) will clarify that this requirement only applies to registered pesticides, as some are exempt from registration. DPR proposes to adopt subsection (c) to specify that a pest control dealer shall not sell or deliver a pesticide listed in section 6400 to a certified private or commercial applicator whose category(ies) or scope of certification do not allow for the intended pesticide use. This additional dealer sale requirement is consistent with the requirement in section 6568(b) clarifying that the dealer must obtain a copy of the individual's private or commercial applicator license or certificate (or signed statement) prior to sale or delivery of pesticides listed in section 6400(a) or (d). Pest control dealers have a responsibility to know what products they sell and to whom, and play a critical role in ensuring these pesticides are possessed by competent individuals in California. Ensuring dealers only sell restricted materials to individuals with the correct category(ies) or scope of certification is important to protect human health and the environment. This is also consistent with proposed sections 6404 and 6406(a)(2), clarifying that individuals who do not hold the appropriate license or certification, or whose category(ies) or scope of certification are not applicable to the intended use of a product are considered noncertified applicators and must be supervised by an individual holding the certification category(ies) relevant to the pesticide's intended use.

- **3 CCR Section 6568. Dealer Responsibilities**

DPR proposes to amend subsection 6568(b) to clarify pest control dealer responsibilities. Amendments to subsection (b) will clarify that certified applicators include both private and commercial applicators, which is consistent with other language changes in this rulemaking, and that an individual certified by a Tribe or U.S. EPA as a certified applicator, under a U.S. EPA-approved certification plan, is considered a certified applicator for the purpose of this subsection. This is a California-specific clarification and is not required by 40 CFR Part 171. Federally recognized tribes are considered sovereign nations and are exempt from California requirements as long as they are only making applications to Tribal land. However, licensed pest control dealers are subject to California's requirements, such as FAC section 14010 and 3 CCR section 6568, so a California-specific clarification is necessary to allow dealer sales to these individuals, which is consistent with 40 CFR section 171.303(a)(9)(i). Additional non-substantive changes

deleting “qualified” and “private applicator” and adding “certified private or commercial” are being made to the regulation for clarity and consistency with current and proposed regulations. Proposed amendments to the signed statement requirement will require the purchaser to include who their license or certificate was issued by and their category(ies) of pest control relevant to the pesticide’s intended use, and in addition to the operator name, include the name of the business or agency name (if applicable); these requirements are in addition to other information currently required on the signed statement obtained by the pest control dealer. This is being added and is necessary to comply with 40 CFR 171.303(b)(7)(vii)(B), and is also consistent with proposed sections 6404(b), 6406(a)(2), and amendments to section 6562(a).

- **3 CCR Section 6622. Operation Identification Numbers**

DPR proposes to amend subsections 6622(b) and (c) to clarify that this section applies to registered pesticide products. These changes provide additional clarity that operator identification numbers are only required for registered pesticides, as some are exempt from registration. Additionally, DPR proposes to add the word “intended” to subsection (c)(1) to clarify that an operator of a property is required to obtain an operator identification number when any pesticide is intended for agricultural use. This clarifies that the operator of the property must obtain an operator identification number if the pesticide is intended to be used for an agricultural use, whether or not the pesticide is labeled for an agricultural use. Amendments to subsection (d)(3) will clarify that this subsection applies to both licensed or certified private and commercial applicators. These amendments are for consistency with language in other code sections. Lastly, “Director” is being capitalized within this section to be consistent with other code sections. These amendments are not required by 40 CFR Part 171 and are being made to clarify existing California-specific requirements.

- **3 CCR Section 6624. Pesticide Use Reports**

Current section 6624 requires certain persons to maintain pesticide use records as detailed in the section. Pesticide use records are routinely reviewed by CACs during inspections and investigations to verify compliance with pertinent pesticide laws and regulations. Pesticide use records are also the basis for the information required to have or display for handlers and fieldworkers (for example, sections 6723(b)(1) and 6723.1 for handlers and 6761(b)(1) and 6761.1 for fieldworkers) and pesticide use reports (‘PURs’, sections 6626 and 6627). The Department receives these PURs and uses the information to address issues relating to potential pesticide exposure to humans and the environment. DPR proposes to amend section 6624 to clarify pesticide use record keeping requirements.

DPR proposes to amend subsection (b)(1) to require time of application be included in the pesticide use record. The time of application is necessary as it establishes when the application occurred. For pesticide applications required to be reported to the CAC and DPR under section 6627, this requirement would provide more complete information than would be available on the monthly summary PUR, as the monthly summary does not require this level of detail, and would

be invaluable in CAC investigations of pesticide complaints or employee illnesses. This amendment is consistent with 40 CFR 171.303(b)(7)(vi)(E).

Subsection (c) contains requirements for records specific to pesticide use in the production of an agricultural commodity. DPR proposes to amend subsection (c)(2) to require that these use records include the date and time the treatment started and ended. This is a more specific requirement than the proposed amendment to (b)(1) because it is common for these types of applications to take several hours and occasionally, start on one day (i.e., before midnight) and finish the following day (i.e., after midnight). In addition, this information is necessary for verifying or establishing entry restrictions on fields, which are based on the start and end of the application and are used to ensure individuals are not inadvertently exposed to pesticide hazards in a recently treated location. These amendments are California-specific and are not required by 40 CFR Part 171, but provide necessary clarification as to what information must be recorded and ensure that the most accurate information surrounding a pesticide application is available.

DPR proposes to adopt a new requirement in subsection (c)(5), so current subsections (c)(5) and (6) are being renumbered accordingly. The proposed requirement in subsection (c)(5) will specify the method of application as required information in the record. This information is critical to DPR enforcement investigations when investigating whether there was potential pesticide misuse. In addition, this amendment will align with longstanding PUR requirements and current agricultural permit application requirements, as the method of application is data currently collected through this reporting process. This is also consistent with subsection 6428(h), which currently requires agricultural permit applications to include the method of application. Amendments to subsection (d) will remove a reference to an effective date that is no longer applicable.

- **3 CCR Section 6624.5. Commercial Applicator Restricted Material Use Records**

40 CFR 171.303(b)(7)(vi) requires the State to have provisions requiring certified commercial applicators to have “routine operational records” for two years that detail specific information about the use of RUPs. The SPCB, in 16 CCR section 1970, maintains a separate pesticide recordkeeping requirement for its license holders. Therefore, the requirements of this section are not proposed to apply to structural uses. All other uses of restricted materials fall under the jurisdiction of DPR. Most of the requirements of 40 CFR 171.303(b)(7)(vi) are covered by the recordkeeping requirements of section 6624, however, a few elements are not. To be consistent with the requirements of 40 CFR 171.303(b)(7)(vi), DPR proposes to adopt section 6624.5, titled “Commercial Applicator Restricted Material Use Records.” This section specifies additional information that must be recorded on, or as an attachment to, pesticide use records when a restricted material is used by or under the supervision of a certified commercial applicator.

Proposed subsection (a) will require the record to include the address of the person for whom the restricted material was used, unless the operator of the property’s restricted material permit number or operator identification number is recorded on the pesticide use record. The address is

being required for consistency with 40 CFR 171.303(b)(7)(vi)(A); however, if the property operator's permit or operator identification number is recorded on the use record (section 6624(c)(3)), enforcement personnel will be able to reference that number to obtain the address. Allowing the operator of the property's restricted material permit number or operator identification number in place of the address is a California-specific exception and is not specified in 40 CFR Part 171. Permit and operator identification numbers are a part of DPR's existing pesticide regulatory program, so this captures all potential California situations pertaining to pesticide use records where information is required.

Proposed subsections (b) and (c) will require the record to include the certified commercial applicator's name and license or certificate number as well as the name of any noncertified applicator(s) under the certified commercial applicator's direct supervision. These requirements are consistent with 40 CFR 171.303(b)(7)(vi)(I).

Proposed subsection (d) will require the record to include the physical address, including city and state, where records under subsection 6724(d)(1) (i.e., noncertified applicator training records) or records under subsection 6724(e) (i.e., employee handler training records) are kept for each noncertified applicator. 40 CFR 171.201(e)(3) requires the certified commercial applicator to have access to these records at the commercial applicator's principal place of business. In most use situations the certified applicator and noncertified applicator working under their supervision will work for the same employer. Occasionally, the noncertified applicator will have a different employer than the certified commercial applicator. In lieu of requiring the employer and certified applicator to keep two sets of records, DPR proposes to require the employer to maintain the records as required under section 6724 and the certified commercial applicator to document the physical address where the records are kept. In the event of an incident or investigation, this is necessary as it will allow enforcement personnel to locate and access the appropriate records to verify certification or training requirements. This is not detailed in 40 CFR Part 171 and is a California-specific approach that ensures the record verification requirements of 40 CFR Part 171 are met, while also ensuring requirements are not duplicative of California's existing regulations.

### **3 CCR AMENDED OR REPEALED SECTIONS**

*As a result of the required amendments to several 3 CCR sections to meet the requirements of 40 CFR Part 171, DPR also proposes to amend sections 6500, 6522 and 6508 and repeal sections 6534, 6445.5, 6536, and 6560. 40 CFR Part 171 does not necessitate the amendment or repeal of these sections, but these revisions are being made for consistency and clarity with other required amendments or to remove a requirement in 3 CCR that is no longer necessary or duplicative.*

- **3 CCR Section 6500. License Duration**

DPR proposes to amend section 6500 by organizing the section into subsections and adding new subsection (c) to clarify the issuance of license and certificates for certain license or certificate



holders during a specified period of time. Proposed subsection (a) details the duration for which licenses and certificates are issued by the Director and is being reworded for clarity and for consistency with the language used in FAC section 11456, which is the statute that authorizes DPR to amend section 6500. Grammatical edits are also being made to proposed subsection (a) for clarity. Proposed subsection (c) clarifies that individuals with a valid qualified applicator license or certificate who have a surname beginning with A through L will be issued an updated license or certificate beginning January 1, 2024. This ensures these individuals, who will be in the middle of their renewal cycle, will have a license or certificate that reflects the categories consistent with section 6530 upon the effective date of the proposed regulations. This will further ensure individuals hold the appropriate categories for the pest control activities conducted. This is specific to California's implementation of the standards in 40 CFR Part 171 and ensures all commercial applicators meet the revised federal standards in accordance with California's implementation timeline and existing renewal cycle. Subsection (c) also includes a repeal date, as the requirements of this subsection are only necessary for a limited period of time.

- **3 CCR Section 6522. Categories**

DPR proposes to amend section 6522 by reformatting and clarifying applicable pest control categories of supervision. Proposed subsection (a) is being reworded and amended to specify the CCR title in which section 6530 is located. Additionally, proposed subsection (a) removes the reference to outdated procedures from December 31, 1985 that are no longer applicable. Proposed subsection (b) is being added to clarify the specific categories applicable for supervision of a Maintenance Gardener Pest Control Business and is consistent with FAC section 11704(a). These amendments are not required by 40 CFR Part 171 and are California-specific; however, they are consistent with current practice and also necessary to conform with California law.

- **3 CCR Section 6508. Notification of Change**

DPR proposes to amend section 6508(a) to establish that name changes must be submitted to DPR with a copy of government-issued proof of change of name. This is consistent with what is required as proof to verify identity in 40 CFR 171.103(a)(2)(iii) and 171.105(h)(2)(i) and proposed sections 6504(a)(1) and 6580.1(c). Additionally, it is necessary as this helps DPR verify the change of name of the license or certificate holder. Lastly, DPR proposes to specify that these notifications must be made in writing to the Director. This is necessary to ensure DPR has documentation of these required changes. These amendments are not required by 40 CFR Part 171, are California-specific, and create consistency across sections detailing identity verification standards.

- **3 CCR Section 6534. Refusal, Revocation, and Suspension**

DPR proposes to repeal section 6534 because it duplicates FAC sections 12205 (for QALs) and 14155 (for QACs).

- **3 CCR Section 6445.5. Field Fumigation Licensing Requirements**

DPR proposes to repeal section 6445.5. When this section was adopted in 2008 (OAL File No. 07-1219-01), it was necessary to specify that field fumigations conducted by pest control businesses required certified commercial applicators to obtain the then new Subcategory O (Field Fumigation) prior to conducting applications of soil fumigants in a field. However, the current code section would be inconsistent with the proposed amendments to sections 6404(c) and 6530. The proposed amendments to 6404(c) and 6530, in conjunction with the proposed amendments to 6522 and current FAC section 11701.5, address the issues section 6445.5 was intended to address (QAC or QAL supervision of field soil fumigations by pest control businesses). With these proposed amendments to these sections, this section is now duplicative and is proposed to be repealed.

- **3 CCR Section 6536. Field Fumigation Licensing Requirements**

DPR proposes to repeal section 6536 for the same reasons provided above regarding the repeal of section 6445.5.

- **3 CCR Section 6560. Supervision**

DPR proposes to repeal section 6560 because it duplicates law. This section was adopted in 1984. In 1994, section 12101.5 was added to the Food and Agricultural Code (Assembly Bill 522 (Snyder) (Chapter 620, Statutes of 1993)), duplicating the requirements in this section.

### **Proposed Form Changes**

As a result of the proposed adoptions and amendments discussed above, DPR proposes to amend several forms incorporated by reference in existing sections 6502, 6580, and 6582, and proposed section 6512.1. Additionally, DPR proposes to incorporate by reference a new form in proposed section 6512.2.

DPR proposes to amend “Table 1 - License and Certificate Application Fees and Forms” in 3 CCR section 6502(c) to reflect updates to titles of license and certificate applications, form numbers, revisions dates, and amendments to the following forms incorporated by reference in Table 1: Qualified Applicator License Application form DPR-PML-001 (Rev. 01/18); Qualified Applicator Certificate Application form DPR-PML-001A (Rev. 01/18); Pest Control Business License Application DPR-PML-042 (Rev. 10/18); Agricultural Pest Control Adviser Application DPR-PML-084 (Rev. 01/18); Pest Control Aircraft Pilot Certificate Application DPR-PML-005 (Rev. 07/18); and Pest Control Dealer Designated Agent License Application DPR-PML-043 (Rev. 10/18). The proposed amendments to these forms are detailed in Tables 1-6 of this document.

DPR proposes to amend “Table 2 - License and Certificate Renewal Application Fees and Forms” in section 6502(c) to reflect updates to titles of license and certificate renewal applications, form numbers, revision dates, and amendments to the following forms incorporated by reference in Table 2: Pest Control Business Renewal Application DPR-PML-192 (Rev. 04/18) and Individual License/Certificate Renewal Application DPR-PML-141 (Rev. 07/18). The proposed amendments to these forms are detailed in Tables 7 and 8 of this document.

In existing section 6512, two forms are currently incorporated by reference: Continuing Education Approval Request Application (DPR-PML-131, Rev. 02/15) form and Continuing Education Additional Course Date Request form (DPR-PML-132, Rev. 02/15) form. DPR’s proposal to relocate and reorganize CE requirements in 3 CCR, will relocate and incorporate by reference the Continuing Education Approval Request Application (DPR-PML-131, Rev. 02/15) form in section 6512(a) to proposed section 6512.1, and relocate and incorporate by reference Continuing Education Additional Course Date Request form (DPR-PML-132, Rev. 02/15) form in section 6512(c) to section 6512.1(d). DPR proposes to amend both of these forms as well as the references to these forms in 3 CCR to reflect the updated form titles, form numbers, and revision dates. The proposed amendments to the Continuing Education Approval Request Application form (DPR-PML-131, Rev. 02/15) are detailed in Table 9 of this document, and the proposed amendments to the Continuing Education Additional Course Date Request form (DPR-PML-132, Rev. 02/15) are detailed in Table 11 of this document.

DPR’s proposal to adopt section 6512.2 incorporates by reference the Interactive Online and Webinar Continuing Education Approval Request Application form (LIC-131B, Rev. 07/23). The form will be incorporated by reference in subsection 6512.2(a)(1). The proposed adoption of this form is detailed in Table 10 of this document.

DPR proposes to amend sections 6580 and 6582 to reflect the amendments made to the Private Applicator Certificate Application form PR-PML-045 (Rev. 12/04), including the form number and revision date. The proposed amendments to this form are detailed in Table 12 of this document.

Throughout all forms mentioned above, DPR proposes to make minor changes to be in compliance with the Americans with Disabilities Act (ADA). Formatting throughout all amended and proposed forms will be revised so that words in all capital letters will be in sentence case. This allows for electronic screen readers to effectively read the material for the visually impaired. Words that are in all capital letters are read by electronic screen readers as individual letters; whereas words that are sentence case are read as full words. Additionally, all italics and underlined information (except for meaningful hyperlinks) are proposed to be removed as they may make the words difficult to read for individuals that are visually impaired. These formatting revisions are consistent with the requirements of making all documents ADA compliant per Assembly Bill 434 (Baker) (Chapter 470, Statutes of 2017). Additionally, DPR proposes to make minor changes throughout the above-mentioned forms to revise typographical errors, structure, syntax, grammar, and punctuation. These minor changes include removal of parentheses around phone number area codes, removal of periods in “P.O. Box,” addition of Oxford commas, and addition of bold text. These types of changes do not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of any CCR provision.

**Table 1. Qualified Applicator License Application form DPR-PML-001 (Rev. 01/18)**  
**Page 1** indicates the current text, proposed changes, and justification for the changes to the first page of this form.

<b>Qualified Applicator License Application form DPR-PML-001 (Rev. 01/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
QUALIFIED APPLICATOR LICENSE APPLICATION DPR-PML-001 (REV. 01/18)	Qualified Applicator License Application LIC-001 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH LICENSING AND CERTIFICATION PROGRAM P.O. BOX 4015 SACRAMENTO, CALIFORNIA 95812-4015 (916) 445-4038 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov/	Department of Pesticide Regulation Licensing and Certification Program PO Box 4015 Sacramento, California 95812-4015 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov/	Remove ‘Pest Management and Licensing Branch’ due to department reorganization. Remove phone number as e-mail is the most efficient contact method for DPR.
<b>A. Application Type</b>		
NEW APPLICATION (New Application Fee of \$80 is required)	New Application (New Application fee of \$80 is required and a copy of valid government-issued documentation – See Instructions)	Add requirement to provide valid government-issued documentation. This will be used to verify identity and age, and is consistent with proposed 3 CCR section 6502(a)(1).
<b>B. Applicant Information</b>		
QAL NUMBER (License/Application #) (if applicable)	Date of Birth (mm/dd/yyyy)	Replace QAL Number field with date of birth to verify age eligibility of applicants. This required information is consistent with proposed 3 CCR section 6502(a)(1). QAL Number will be relocated to the next field. ‘(License/Application #)’ will be removed as it is duplicative of ‘QAL Number.’
HOME PHONE NUMBER ( )	QAL Number (If applicable)	Replace Home Phone Number field with QAL Number. Home Phone Number will be relocated to the Cell Phone Number field.

CELL PHONE NUMBER ( )	Cell or Home Phone Number	Add Home Phone Number (relocated from previous field) to Cell Phone Number field, allowing applicants to provide either cell OR home number instead of both. The number of home landlines is trending down and some applicants no longer have a home phone number or prefer to be contacted by cell phone. Remove parentheses for spacing.
<b>C. Examination – Laws, Regulations, and Basic Principles</b>		
<i>This examination must be passed along with one or more categories in Section D below to become a QAL.</i>	This examination must be passed along with one or more categories in Section D to obtain a QAL.	Remove “below” and add “obtain” for consistency with other applications. Individuals obtain a license rather than become a license.
(1) Have a valid PCA, APC, or JPC	(1) Have a valid PCA, APC, JPC, or QAL	Add QAL as an exemption. To obtain a QAL, individuals must successfully pass DPR’s Laws, Regulations, and Basic Principles examination. Therefore, those who are currently licensed as a QAL have already fulfilled this requirement and are not required to re-take this examination.
<b>D. Examination – Categories</b>		
<b>Examinations – Categories.</b> Indicate the examination(s) you want to take by checking the appropriate boxes. One or more of the following exams must be passed along with the exam in Section C above to become a QAL. Only four (4) examinations may be taken at one time (including Laws, Regulations and Basic Principles).	<b>Examination – Categories.</b> Indicate the examination(s) you want to take by checking the appropriate boxes. One or more of the following exams must be passed in addition to the exam in Section C to become a QAL. You may only select a maximum of four examinations per application (including Laws, Regulations, and Basic Principles).	Reword instructions and correct grammar to clarify that only four examinations may be selected per application submitted. This is necessary to clarify that if the applicant selects more than four examinations on a single application the applicant will not be able to take more than four in a scheduled examination period (i.e., each DPR scheduled examination period is a maximum of 4 hours).
(C) Right of Way \$50	(C) Right-of-Way <b>\$50</b>	Bold the price and add hyphens for formatting consistency with 3 CCR section 6530(c).
(L) Wood Preservation \$50	(L) Soil Fumigation <b>\$50</b>	Remove Wood Preservation category and replace with the proposed Soil Fumigation category, which is consistent with proposed amendments to 3 CCR sections 6504(b)(2)(L) and 6530(l).
(M) Antifouling Tributyltin \$50	(M) Non-Soil Fumigation <b>\$50</b>	Remove Antifouling Tributyltin category and replace with proposed Non-Soil Fumigation category, consistent with proposed amendments to 3 CCR sections 6504(b)(2)(M) and 6530(m).

(N) Sewer Line Root Control \$50	Remove	Remove these three categories as they will no longer be available for commercial applicator certification. This is consistent with the proposed repeal of 3 CCR subsections 6530(n)-(p).
(O) Field Fumigation \$50	Remove	
(P) Microbial \$50	Remove	
<b>E. Examination Schedule</b>		
<b>Examination Schedule.</b> To complete this section, see DPR Web site for the examination schedule for available months and locations. Scheduling is based on seat availability.	<b>Examination Schedule.</b> To complete this section, see DPR's Web site for the examination schedule for available months and locations. DPR will assign the exam date. Your exam date and location choices are not guaranteed.	Reword and clarify that DPR will assign the exam date and that an individual's requested exam date and location choices are not guaranteed.
<b>F. Reasonable Accommodation.</b>		
Check if you need reasonable accommodation to take a written exam.	Check if you need reasonable accommodation to take an exam.	Remove "written" for clarity, as not all DPR exams may be written (i.e., some exams are computer-based), and to support those who need reasonable accommodation to take those other types of exams as well.
<b>G. Fees</b>		
<b>Fees. All fees are non-transferable and non-refundable.</b> (Make check payable to "DPR Cashier")	<b>Fees. All fees are non-transferable and non-refundable.</b>	Remove parenthetical about check payment as all forms of payment are listed in instructions.
<b>H. Read Before Signing</b>		
During the last three years have you had any administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary or in which any disciplinary action is pending?	During the last three years have you had any administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary action or in which any disciplinary action is pending?	Add missing word, "action," for clarity and consistency with other DPR application forms.

**Table 1. Qualified Applicator License Application form DPR-PML-001 (Rev. 01/18) Page 2, instructions** indicates the original text, proposed changes, and justification for the changes to the second page of the form.

Qualified Applicator License Application form DPR-PML-001 (Rev. 01/18) Page 2		
Current Text	Proposed Changes	Justification
Form Title		

QUALIFIED APPLICATOR LICENSE APPLICATION INSTRUCTIONS DPR-PML-001 (REV. 01/18)	Qualified Applicator License Application Instructions LIC-001 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
<b>Failure to complete or provide the requested information will delay the processing of your application.</b>	<b>Failure to complete or provide the requested information may delay the processing of your application.</b>	Reword statement for consistency between all DPR applications.
	DPR will only disclose personally identifiable information, such as home phone number and personal email address, to third parties as required by state or federal law or regulation and consistent with the Information Practices Act (Civ. Code, sections 1798-1798.78).	Added to clarify to applicants how personal information included on an application will be used.
<b>A. Application Type</b>		
Are applying for a Qualified Applicator License for the first time.	*Are applying for a Qualified Applicator License for the first time.	Add asterisk for new note.
	*Applications for a new license shall include an attached copy of valid government-issued documentation verifying that the applicant will meet the required minimum age of 18 years old prior to admission to the examination. The applicant's name included on the submitted application shall match the name stated on the valid government-issued documentation submitted.	Add requirement to provide valid government-issued documentation used to verify identity and age. This statement clarifies that the copy shall be attached to the application and that the name on the application and government-issued documentation must match. This is consistent with proposed 3 CCR section 6502(a)(1).
<b>B. Applicant Information</b>		
Enter your name; Qualified Applicator License or Application Number (if applicable); address; e-mail address; home; work; and cell phone numbers; employment type; and current employer (if applicable).	Enter your name (name shall match the submitted valid government-issued documentation); Qualified Applicator License or Application Number (if applicable); date of birth; mailing address; E-Mail address; cell or home and work phone numbers; employment type; and current employer (if applicable).	For consistency with proposed changes to page 1 of this form, add new information fields and reword existing information that will be required. This is to verify age eligibility of applicants (proposed 3 CCR section 6502(a)(1)). Add "mailing" to clarify the type of address as this will be used to contact them. Reword phone numbers to account for combined cell and home phone fields.
<b>C. Examination - Laws, Regulations, and Basic Principles</b>		

<p>Exemptions: (Check the appropriate box) No fee or examination is required if you: have a valid Pest Control Adviser License (PCA), Journeyman Pilot Certificate (JPC), or Apprentice Pilot Certificate (APC). To qualify for this exemption you must enter the number from your current license or certificate next to the (1) exemption, OR (2) have passed the Laws, Regulations and Basic Principles Exam within the past 12 months. A Qualified Applicator Certificate (QAC) does not meet the exemption requirements.</p>	<p>Exemption: (Check the appropriate box, if applicable) No fee or examination is required if you: have a valid Pest Control Adviser License (PCA), Journeyman Pilot Certificate (JPC), Apprentice Pilot Certificate (APC), or Qualified Applicator License (QAL). To qualify for this exemption you must enter the number from your current license or certificate next to the (1) exemption, or (2) have passed the Laws, Regulations, and Basic Principles Exam within the past 12 months. A Qualified Applicator Certificate (QAC) does not meet the exemption requirements.</p>	<p>Clarify that a box only needs to be checked if applicable as not all applicants will meet this exemption. Change “exemption” from plural to singular as the applicant is only required to meet one exemption. Add QAL as an exemption to be consistent with the proposed change on page 1. Also, correct grammar.</p>
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**D. Examination – Category(ies)**

<p><b>Examination – Category(ies):</b> Indicate the category(ies) you want to take by checking the appropriate box(es). In addition to the Laws, Regulations and Basic Principles examination, each new applicant must successfully pass at least one of the pest control categories (A-P) before a Qualified Applicator License is issued. A maximum of four (4) examinations may be scheduled per location, including the Laws, Regulations and Basic Principles examination, and you may only test once per month. See Qualified Applicator License category descriptions and suggested study material source list in the Qualified Applicator License Packet at &lt;<a href="http://www.cdpr.ca.gov/docs/license/app_packets/qal.pdf">www.cdpr.ca.gov/docs/license/app_packets/qal.pdf</a>&gt;.</p>	<p><b>Examination – Categories:</b> Indicate the category(ies) you want to take by checking the appropriate box(es). In addition to the Laws, Regulations, and Basic Principles examination, each new applicant must successfully pass at least one of the pest control categories (A-M) before a Qualified Applicator License is issued. You may only select a maximum of four examinations per application, including the Laws, Regulations, and Basic Principles examination. You may only apply once per month, exceptions to this are evaluated on a case by case basis. See Qualified Applicator License category descriptions and suggested study material source list in the <a href="#">Qualified Applicator License Application Packet</a>.</p>	<p>Make title plural as there are multiple categories for applicants to choose from. Update category range to reflect the categories available for initial certification as proposed in 3 CCR 6504 and 6530. Additionally, reword instructions for clarity and consistency with page 1. Remove URL and make text a hyperlink that links to the page for ADA purposes.</p>
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**E. Examination Schedule**



Provide your first and second choice for taking your exam(s). Indicate the exam month and location for each choice in the appropriate boxes. Exam month and location options may be obtained from DPR's Web site at: <www.cdpr.ca.gov/docs/license/exam_sched.pdf>. The exam schedule gives the location, schedule, and final filing dates. Your application must be <i>postmarked</i> by the final filing date for the earliest choice you provided. DPR will assign your exam date.	Provide your first and second choice for taking your exam(s). Indicate the exam month and location for each choice in the appropriate boxes. Your exam date and location choices are not guaranteed. Go to DPR's Web site to find <a href="#">current exam information</a> . If you selected an exam date, your application must be postmarked by the final filing date for the earliest choice you provided. DPR will assign your exam date.	Add clarification that exam date and locations are not guaranteed, which is consistent with page 1 of the form. Reword and simplify instructions for clarity. Remove URL and make text a hyperlink for ADA purposes.
<b>F. Reasonable Accommodation</b>		
Reasonable accommodation will be provided to applicants who need assistance to take a written exam. If you check "Yes", you will be contacted via phone, e-mail, or mail.	Reasonable accommodation will be provided to applicants who need assistance to take an exam. If you check "Yes", you will be contacted.	Remove "written" for clarity, as not all DPR exams may be written (i.e., some exams are computer-based), and to support those who need reasonable accommodation to take those other types of exams as well. Also, remove contact types, as they are not necessary.
<b>G. Fees</b>		
Category(ies) Examination Fee(s): \$50 <i>per exam</i>	Category Examination Fee(s): \$50 per exam	Remove plural of "category" for formatting consistency throughout form.
<b>I. Declaration/Signature Block</b>		
Sign and date your application.	Sign here to indicate that all of the information submitted is true and correct.	Reword instructions for consistency with page 1 of this form and to match instructions on other DPR forms.
<b>Mailing Instructions</b>		
Cashier, Department of Pesticide Regulation P.O. Box 4015 Sacramento, California 95812-4015.	Department of Pesticide Regulation Attn: Cashier MS-4A PO Box 4015 Sacramento, California 95812-4015	Reformat and reorder to reflect best address to regularly receive mail.

**Table 2. Qualified Applicator Certificate Application form DPR-PML-001A (Rev. 01/18) Page 1** indicates the original text, proposed changes, and justification for the changes to the first page of the form.

Qualified Applicator Certificate Application form DPR-PML-001A (Rev. 01/18)		
Current Text	Proposed Changes	Justification
<b>Form Title</b>		

QUALIFIED APPLICATOR CERTIFICATE APPLICATION DPR-PML-001A (REV. 01/18)	Qualified Applicator Certificate Application LIC-001A (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH LICENSING AND CERTIFICATION PROGRAM P.O. BOX 4015 SACRAMENTO, CALIFORNIA 95812-4015 (916) 445-4038 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov/	Department of Pesticide Regulation Licensing and Certification Program PO Box 4015 Sacramento, California 95812-4015 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov/	Remove ‘Pest Management and Licensing Branch’ due to department reorganization. Remove phone number as e-mail is the most efficient contact method for DPR.
<b>A. Application Type</b>		
NEW APPLICATION (New Application Fee of \$40 is required in Section G)	New Application (New Application Fee of \$40 is required and a copy of valid government-issued documentation – See Instructions)	Add requirement to provide valid government-issued documentation. This will be used to verify identity and age, and is consistent with proposed 3 CCR section 6502(a)(1).
<b>B. Applicant Information</b>		
QAC NUMBER (Certificate/Application #) (if applicable)	Date of Birth (mm/dd/yyyy)	Replace QAC Number field with date of birth to verify age eligibility of applicants. This required information is consistent with proposed 3 CCR section 6502(a)(1). QAC Number will be relocated to the next field. “(Certificate/Application#)” will be removed as it is duplicative of “QAC Number.”
HOME PHONE NUMBER ( )	QAC Number (If applicable)	Replace Home Phone Number field with QAC Number. Home Phone Number will be relocated to Cell Phone Number field.
CELL PHONE NUMBER ( )	Cell or Home Phone Number	Add Home Phone Number (relocated from previous field) to Cell Phone Number field, allowing applicants to provide either cell OR home number, instead of both. The number of home landlines is trending down and some applicants no longer have a home phone number or prefer to be contacted by cell phone. Remove parentheses for spacing.
EMPLOYER NAME AND MAILING ADDRESS (If Applicable) (Number and Street, or P.O. Box, City, State, Zip Code)	Employer Name and Mailing Address (If Applicable) (Number and Street or PO Box, City, State, ZIP Code)	Add “or” to clarify that the mailing address may be a number and street or a PO Box. Remove periods and capitalize “Zip” for formatting consistency.

<b>C. Examination – Laws, Regulations, and Basic Principles</b>		
<i>This examination must be passed along with one or more categories in Section D below to obtain a QAC.</i>	<b>This examination must be passed along with one or more categories in Section D to obtain a QAC.</b>	Remove “below.” Additional word is unnecessary. Improves clarity and is consistent with other DPR application forms.
(1) Have a valid PCA, APC, JPC, OR QAL OR	(1) Have a valid PCA, APC, JPC, or QAL;	Add semicolon and remove “OR” to correct formatting and grammar.
(2) Have passed this exam within the last 12 months	(2) Have passed this exam within the last 12 months; or	Add semi-colon and “or” before last item in list for correct grammar.
	(3) Are applying for a QAC-Q certificate <b>only</b> .	Add third exemption for clarity. This exemption is permitted as the exam for those applying for a QAC-Q certificate covers the Laws, Regulations, and Basic Principles exam as well as the Category Q exam (instead of the usual two separate examinations). Therefore, an applicant applying for a QAC-Q certificate will fulfill this requirement when taking their category-specific exam.
<b>D. Examinations – Categories</b>		
Indicate the examination(s) you want to take by checking the appropriate boxes. One or more of the following exams must be passed in addition to the exam in Section C above to become a QAC. Only four (4) examinations may be taken at one time (including Laws, Regulations and Basic Principles).	Indicate the examination(s) you want to take by checking the appropriate box(es). One or more of the following exams must be passed in addition to the exam in Section C to become a QAC. You may only select a maximum of four examinations per application (including Laws, Regulations, and Basic Principles).	Reword instructions and correct grammar to clarify that only four examinations may be selected per application submitted. This is necessary to clarify that if individuals select more than four examinations on a single application the applicant will not be able to take more than four in a scheduled examination period (i.e. each DPR scheduled examination period is a maximum of 4 hours).
(L) Wood Preservation	(L) Soil Fumigation	Remove Wood Preservation category and replace with the proposed Soil Fumigation category, which is consistent with proposed amendments to 3 CCR sections 6504(b)(2)(L) and 6530(l).
(M) Antifouling Tributyltin	(M) Non-Soil Fumigation	Remove Antifouling Tributyltin category and replace with proposed Non-Soil Fumigation category, consistent with proposed amendments to 3 CCR sections 6504(b)(2)(M) and 6530(m).

(N) Sewer Line Root Control	Remove	Remove these three categories as they will no longer be available for commercial applicator certification. This is consistent with the proposed repeal of 3 CCR subsections 6530(n)-(p).
(O) Field Fumigation	Remove	
(P) Microbial	Remove	
(Q) Maintenance Gardener English <b>\$50</b> Spanish <b>\$50</b> Laws, Regulations and Basic Principles exam is not required for this category.	(Q) Maintenance Gardener English <b>\$50</b> Spanish <b>\$50</b> Laws, Regulations, and Basic Principles exam (Section C) is not required for this category.	Add "Section C" for clarity and correct grammar.
<b>E. Examination Schedule</b>		
<b>Examination Schedule.</b> To complete this section, see DPR Web site for the examination schedule for available months and locations. DPR will assign the exam date. Scheduling is based on seat availability.	<b>Examination Schedule.</b> To complete this section, see DPR's Web site for the examination schedule for available months and locations. DPR will assign the exam date. Your exam date and location choices are not guaranteed.	Reword and clarify that DPR will assign the exam date and that an individual's requested exam date and location choices are not guaranteed.
<b>F. Reasonable Accommodation</b>		
Check if you need reasonable accommodation to take a written exam.	Check if you need reasonable accommodation to take an exam.	Remove "written" for clarity, as not all DPR exams may be written (i.e. some exams are computer based), and to support those who need reasonable accommodation to take those other types of exams as well.
<b>G. Fees</b>		
<b>Fees. All Fees are non-transferable and non-refundable. (Make check payable to "DPR Cashier")</b>	<b>Fees. All fees are non-transferable and non-refundable.</b>	Remove parenthetical about check payment as all forms of payment are listed in instructions.
<b>H. Read Before Signing</b>		
<b>Read Before Signing.</b> During the last three years have you had any administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary or in which any disciplinary action is pending?	<b>Read Before Signing.</b> During the last three years have you had any administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary action or in which any disciplinary action is pending?	Add missing word, "action," for clarity and consistency with other DPR application forms.

**Table 2. Qualified Applicator Certificate Application form DPR-PML-001A (Rev. 01/18) Page 2, instructions** indicates the original text of, proposed changes to, and justification for the changes to the second page of the document.

<b>Qualified Applicator Certificate Application form DPR-PML-001A (Rev. 01/18) Page 2</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
QUALIFIED APPLICATOR CERTIFICATE APPLICATION INSTRUCTIONS DPR-PML-001A (REV. 01/18)	Qualified Applicator Certificate Application Instructions LIC-001A (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
	DPR will only disclose personally identifiable information, such as home phone number and personal email address, to third parties as required by state or federal law or regulation and consistent with the Information Practices Act (Civ. Code, sections 1798-1798.78).	Added to clarify to applicants how personal information included on an application will be used.
<b>A. Application Type</b>		
Are applying for a Qualified Applicator Certificate for the first time.	*Are applying for a Qualified Applicator Certificate for the first time.	Add asterisk for new note.
	*Applications for a new certificate shall include an attached copy of valid government-issued documentation verifying that the applicant will meet the required minimum age of 18 years old prior to admission to the examination. The applicant's name included on the submitted application shall match the name stated on the valid government-issued documentation submitted.	Add requirement to provide valid government-issued documentation used to verify identity and age. This statement clarifies that the copy shall be attached to the application and that the name on the application and government-issued documentation must match. This is consistent with proposed 3 CCR section 6502(a)(1).
<b>B. Applicant Information</b>		

<p>Enter your name; Qualified Applicator Certificate or Application Number (if applicable); address; e-mail address; home; work; and cell phone numbers; employment type; and current employer (if applicable).</p>	<p>Enter your name (name shall match the submitted valid government-issued documentation); Qualified Applicator Certificate or Application Number (if applicable); date of birth; mailing address; E-Mail address; cell or home and work phone numbers; employment type; and current employer (if applicable).</p>	<p>For consistency with proposed changes to page 1 of this form, add new information fields and reword existing information that will be required. This is to verify age eligibility of applicants (proposed 3 CCR section 6502(a)(1)). Add “mailing” to clarify the type of address, as this will be used to contact them. Reword phone numbers to account for combined cell and home phone fields.</p>
<p><b>C. Examination - Laws, Regulations, and Basic Principles</b></p>		
<p><b>Laws, Regulations and Basic Principles:</b> <i>This examination is required of all new QAC applicants.</i></p>	<p><b>Laws, Regulations, and Basic Principles:</b> This examination is required of all new QAC applicants, unless one of the listed exemptions applies.</p>	<p>Include Oxford comma. Include information about exemptions for clarity.</p>
<p>Exemptions: (Check the appropriate box). No fee or examination is required if you: have a current Pest Control Adviser License (PCA), Qualified Applicator License (QAL), Journeyman Pilot Certificate (JPC), or Apprentice Pilot Certificate (APC). To qualify for this exemption, you must enter the number from your current license or certificate next to the (1) exemption, OR (2) have passed the Laws, Regulations and Basic Principles Exam within one (1) year.</p>	<p>Exemption: (Check the appropriate box, if applicable). No fee or examination is required if you: (1) have a current Pest Control Adviser License (PCA), Qualified Applicator License (QAL), Journeyman Pilot Certificate (JPC), or Apprentice Pilot Certificate (APC) [you must enter the number from your current license or certificate next to the (1) exemption], (2) have passed the Laws, Regulations, and Basic Principles exam within the past 12 months, or (3) you are applying for a QAC-Q certificate only.</p>	<p>Add “if applicable” for clarity, as not everyone will meet one of the listed exemptions. Change “exemption” from plural to singular as the applicant is only required to meet one exemption. Reword instructions for clarity and correct grammar. Add third exemption for consistency with exemptions listed on page 1.</p>
<p><b>D. Examination – Category(ies)</b></p>		

<p><b>Examination – Category(ies):</b> Indicate the category(ies) you want to take by checking the appropriate box(es). In addition to the Laws, Regulations and Basic Principles examination, each new applicant must successfully pass at least one of the pest control categories (A-P) before a Qualified Applicator Certificate is issued. Applicants seeking certification only in subcategory Q do not need to take the Laws, Regulations and Basic Principles examination. A maximum of four (4) examinations may be scheduled per location, including the Laws, Regulations and Basic Principles examination, and <i>you may only test once per month</i>. See Qualified Applicator Certificate category descriptions and suggested study material source list in the Qualified Applicator Certificate Packet at: &lt;<a href="http://www.cdpr.ca.gov/docs/license/app_packets/qac.pdf">www.cdpr.ca.gov/docs/license/app_packets/qac.pdf</a>&gt;.</p>	<p><b>Examination – Categories:</b> Indicate the category(ies) you want to take by checking the appropriate box(es). In addition to the Laws, Regulations, and Basic Principles examination, each new applicant must successfully pass at least one of the pest control categories (A-M or Q) before a Qualified Applicator Certificate is issued. Applicants seeking certification only in subcategory Q do not need to take the Laws, Regulations, and Basic Principles examination. You may only select a maximum of four examinations per application, including the Laws, Regulations, and Basic Principles examination. You may only apply once per month, exceptions to this are evaluated on a case by case basis. See Qualified Applicator Certificate category descriptions and suggested study material source list in the <a href="#">Qualified Applicator Certificate Application Packet</a>.</p>	<p>Make title plural as there are multiple categories for applicants to choose from. Correct grammar and update category range to reflect the correct categories available for initial certification as proposed in 3 CCR sections 6504, 6530, and 6531. Remove URL and make text a hyperlink that links to the page for ADA purposes.</p>
<p><b>E. Examination Schedule</b></p>		
<p>Provide your first and second choice for taking your exam(s). Indicate the exam month and location for each choice in the appropriate boxes. Exam month and location options may be obtained from DPR’s Web site at: &lt;<a href="http://www.cdpr.ca.gov/docs/license/exam_sched.pdf">www.cdpr.ca.gov/docs/license/exam_sched.pdf</a>&gt;. The exam schedule gives the location, schedule, and final filing dates. Your application must be <i>postmarked</i> by the final filing date for the earliest choice you provided. DPR will assign your exam date.</p>	<p>Provide your first and second choice for taking your exam(s). Indicate the exam month and location for each choice in the appropriate boxes. Your exam date and location choices are not guaranteed. Go to DPR’s Web site to find <a href="#">current exam information</a>. If you selected an exam date, your application must be postmarked by the final filing date for the earliest choice you provided. DPR will assign your exam date.</p>	<p>Add clarification that exam date and locations are not guaranteed, which is consistent with page 1 of the form. Reword and simplify instructions for clarity. Remove URL and make text a hyperlink for ADA purposes.</p>
<p><b>F. Reasonable Accommodation</b></p>		
<p>Reasonable accommodation will be provided to applicants who need assistance to take a written exam. If you check “Yes”, you will be contacted via phone, e-mail, or mail.</p>	<p>Reasonable accommodation will be provided to applicants who need assistance to take an exam. If you check “Yes”, you will be contacted.</p>	<p>Remove “written” for clarity, as not all DPR exams may be written (i.e. some exams are computer based), and to support those who need reasonable accommodation to take those other types of exams as well. Contact types removed for clarity as they are not necessary.</p>
<p><b>I. Declaration/Signature Block</b></p>		

Sign and date your application.	Sign here to indicate that all of the information submitted is true and correct.	Reword instructions for consistency with page 1 of this form and to match instructions on other DPR forms.
<b>Mailing Instructions</b>		
Cashier, Department of Pesticide Regulation P.O. Box 4015 Sacramento, California 95812-4015.	Department of Pesticide Regulation Attn: Cashier MS-4A PO Box 4015 Sacramento, California 95812-4015	Reformat and reorder to reflect best address to regularly receive mail.

**Table 3. Pest Control Aircraft Pilot Certificate Application form DPR-PML-005**

**(Rev. 07/18) Page 1** indicates the original text, proposed changes, and justification for the changes to the first page of the form.

<b>Pest Control Aircraft Pilot Certificate Application form DPR-PML-005 (Rev. 07/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL AIRCRAFT PILOT CERTIFICATE APPLICATION DPR-PML-005 (Rev. 07/18)	Pest Control Aircraft Pilot Certificate Application LIC-005 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH LICENSING AND CERTIFICATION PROGRAM P.O. BOX 4015 SACRAMENTO, CALIFORNIA 95812-4015 (916) 445-4038 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov/	Department of Pesticide Regulation Licensing and Certification Program PO Box 4015 Sacramento, California 95812-4015 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov/	Remove ‘Pest Management and Licensing Branch’ due to department reorganization. Remove phone number; as e-mail is the most efficient contact method for DPR.
<b>A. Pest Control Aircraft Pilot Application Type</b>		
NEW APPLICATION (New Application Fee of \$60 is required in Section G)	New Application (New Application Fee of \$60 is required and a copy of valid government-issued documentation – See Instructions)	Add requirement to provide valid government-issued documentation. This will be used to verify identity and age, and is consistent with proposed 3 CCR section 6502(a)(1).
<b>B. Applicant Information</b>		



PILOT CERTIFICATE NUMBER (Certificate/Application #) (if applicable)	Date of Birth (mm/dd/yyyy)	Replace Pilot Certificate Number field with date of birth to verify age eligibility of applicants. This required information is consistent with proposed 3 CCR section 6502(a)(1). Pilot Certificate Number field will be relocated to the next field. “(Certificate/Application #)” will be removed as it is duplicative of “Pilot Certificate Number.”
HOME PHONE NUMBER ( )	Pilot Certificate Number (If applicable)	Replace Home Phone Number field with Pilot Certificate Number. Home Phone Number will be relocated to the Cell Phone Number field.
CELL PHONE NUMBER ( )	Cell or Home Phone Number	Add Home Phone Number (relocated from previous field) to Cell Phone Number field, allowing applicants to provide either cell OR home number, instead of both. The number of home landlines is trending down and some applicants no longer have a home phone number or prefer to be contacted by cell phone. Remove parentheses for spacing.
<b>C. Examination – Laws, Regulations, and Basic Principles</b>		
Laws, Regulations, and Basic Principles \$50 <i>This examination is only required for an Apprentice Pilot Certificate, Manned or Unmanned</i>	Laws, Regulations, and Basic Principles \$50 <b>This examination is only required for an Apprentice Pilot Certificate, Manned or Unmanned.</b> (This examination is not required for Journeyman and Vector Control applicants.)	Add statement for Journeyman and Vector Control applicants to clarify that the Laws, Regulations, and Basic Principles exam is not required. This is consistent with proposed 3 CCR section 6504(b)(1) and (b)(4).
(2) Have passed this exam within one (1) year	(2) Have passed this exam within one year	Remove “(1)” as it is unnecessary.
<b>E. Examination Schedule</b>		
<b>Examination Schedule.</b> To complete this section, see DPR Web site for the examination schedule for available months and locations. DPR will assign the exam date based on seat availability.	<b>Examination Schedule.</b> To complete this section, see DPR’s Web site for the examination schedule for available months and locations. DPR will assign the exam date. Your exam date and location choices are not guaranteed.	Reword and clarify that an individual’s requested exam date and location choices are not guaranteed. Grammar corrections.
<b>F. Reasonable Accommodation</b>		

Check if you need reasonable accommodation to take a written exam.	Check if you need reasonable accommodation to take an exam.	Remove “written” for clarity, as not all DPR exams may be written (i.e. some exams are computer based), and to support those who need reasonable accommodation to take those other types of exams as well.
<b>G. Fees</b>		
<i><b>Fees. All Fees are non-transferable and non-refundable. (Make check payable to “DPR Cashier”)</b></i>	<b>Fees. All fees are non-transferable and non-refundable.</b>	Remove parenthetical about check payment as all forms of payment are listed in the instructions.
<b>H. Read Before Signing</b>		
<b>Read Before Signing.</b> During the last three years have you had an administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary or in which any disciplinary action is pending?	<b>Read Before Signing.</b> During the last three years have you had an administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary action or in which any disciplinary action is pending?	Add missing word, “action,” for clarity and consistency with other DPR application forms.
<b>I. Declaration</b>		
<b>I declare under penalty of perjury, under laws of the State of California, that the submitted application information is true and correct.</b>	<b>I declare under penalty of perjury, under laws of the State of California, that the information submitted is true and correct.</b>	Reworded for clarity and consistency with other DPR application forms.

**Table 3. Pest Control Aircraft Pilot Certificate Application form DPR-PML-005 (Rev. 07/18) Page 2, instructions** indicates the original text, proposed changes, and justification for the changes to the second page of the form.

<b>Pest Control Aircraft Pilot Certificate Application form DPR-PML-005 (Rev. 07/18) Page 2</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL AIRCRAFT PILOT CERTIFICATE APPLICATION INSTRUCTIONS DPR-PML-005 (Rev. 07/18)	Pest Control Aircraft Pilot Certificate Application Instructions LIC-005 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
<b>Failure to complete or provide the requested information will delay the processing of your application.</b>	<b>Failure to complete or provide the requested information may delay the processing of your application.</b>	Reword statement for consistency between all DPR applications.

	DPR will only disclose personally identifiable information, such as home phone number and personal email address, to third parties as required by state or federal law or regulation and consistent with the Information Practices Act (Civ. Code, sections 1798-1798.78).	Added to clarify to applicants how personal information included on an application will be used.
<b>A. Application Type</b>		
Are applying for a Qualified Applicator Certificate for the first time.	*Are applying for a Qualified Applicator Certificate for the first time.	Add asterisk for new note.
<i>New Manned Pilot Certificate applicants <b>must</b> submit copies of their valid Federal Aviation Administration (FAA) Commercial Pilot's Certificate and a current Medical Certificate issued by the FAA.</i>	<b>New Manned Pilot Certificate</b> applicants <b>must</b> submit: (1) A copy of their valid Federal Aviation Administration (FAA) Commercial Pilot's Certificate; and (2) A current Medical Certificate issued by the FAA.	Reword instructions to clarify the two items required to be submitted with the application.
<i>New Unmanned Pilot Certificate applicants <b>must</b> submit copies of their FAA authorization or certification to operate an unmanned aircraft system approved by the FAA to conduct pest control.</i>	<b>New Unmanned Pilot Certificate</b> applicants <b>must</b> submit: (1) Proof of FAA approval for the individual to pilot an Unmanned Aircraft System (UAS) for pest control; and (2) Proof of FAA approval to use UAS for pest control.	Reword instructions to clarify the two items required to be submitted with the application.
NOTE: Unmanned Aircraft Systems (UAS) may be operated in pest control by a pilot holding either a Manned or Unmanned Pest Control Aircraft Pilot Certificate.	Note: UAS may be operated in pest control by a pilot holding either a Manned or Unmanned Pest Control Aircraft Pilot Certificate, as long as you have the appropriate approval(s) from FAA.	Use acronym for Unmanned Aircraft System (UAS), which is defined in the previous statement. Add statement that the applicant must have appropriate approval(s) from the Federal Aviation Administration (FAA) to clarify and reiterate that this federal approval is required in addition to DPR's requirements.
	*Applications for a new certificate shall include an attached copy of valid government-issued documentation verifying that the applicant will meet the required minimum age of 18 years old prior to admission to the examination. The applicant's name included on the submitted application shall match the name stated on the valid government-issued documentation submitted.	Add requirement to provide valid government-issued documentation used to verify identity and age. This statement clarifies that the copy shall be attached to the application and that the name on the application and government-issued documentation must match. This is consistent with proposed 3 CCR section 6502(a)(1).
<b>B. Applicant Information</b>		

<p>Enter your name; Pilot Certificate or Application Number (if applicable); address; e-mail address; home; work; and cell phone numbers; and current employer (if applicable).</p>	<p>Enter your name (name shall match the submitted valid government-issued documentation); Pilot Certificate or Application Number (if applicable); date of birth; mailing address; E-Mail address; work and cell or home phone numbers; and current employer (if applicable).</p>	<p>For consistency with proposed changes to page 1 of this form, add new information fields and reword existing information that will be required. This is to verify age eligibility of applicants (proposed 3 CCR section 6502(a)(1)). Add “mailing” to clarify the type of address, as this will be used to contact them. Reword phone numbers to account for combined cell and home phone fields.</p>
<p><b>New Apprentice Pilot, Manned or Unmanned,</b> Certificate applicants must successfully pass the Laws, Regulations, and Basic Principles Examination and the Apprentice Pilot Certificate Examination before the Apprentice Pilot Certificate is issued.</p>	<p><b>New Manned or Unmanned Apprentice Pilot</b> certificate applicants must successfully pass the Laws, Regulations, and Basic Principles examination and the Apprentice Pilot Certificate examination before the Apprentice Pilot Certificate is issued.</p>	<p>Reword for correct grammar and consistency.</p>
<p><b>New Journeyman Pilot, Manned or Unmanned,</b> Certificate applicants must submit page three of the application demonstrating that they have been certified as an Apprentice and have worked under a Journeyman for a minimum of one (1) year, <b>and</b> completed a minimum of 150 hours of operation of a fixed-wing aircraft or 50 hours of a non-fixed wing aircraft within the past two (2) years. They must also successfully pass the Journeyman Pilot Certificate examination before the corresponding certificate is issued.</p>	<p><b>New Manned or Unmanned Journeyman Pilot</b> certificate applicants must submit page three of the application demonstrating that they have been certified as an Apprentice and have worked under a Journeyman for a minimum of one year, <b>and</b> completed a minimum of 150 hours of operation of a fixed-wing aircraft or 50 hours of a non-fixed wing aircraft within the past two years. They must also successfully pass the Journeyman Pilot Certificate examination before the corresponding certificate is issued.</p>	<p>Reword for correct grammar and consistency. Remove “(1)” and “(2)” as they are unnecessary.</p>
<p><b>C. Laws, Regulations, and Basic Principles</b></p>		

<p><i>This examination is required of all new Apprentice Pilot Certificate applicants.</i></p> <p>Exemptions: No fee or examination is required if you: (1) have a current Agricultural Pest Control Adviser License (PCA) or Qualified Applicator License (QAL) (to qualify for this exemption you must enter your current license number), OR (2) have passed this examination within one (1) year. The Qualified Applicator Certificate and Pest Control Dealer’s Designated Agent License do not meet the exemption requirements. Structural Pest Control Operators and out-of-state licenses or certificates also do not meet the exemption requirements.</p>	<p>This examination is required of all new Apprentice Pilot Certificate applicants.</p> <p>Exemptions: No fee or examination is required if you: (1) have a current Agricultural Pest Control Adviser License (PCA) or Qualified Applicator License (QAL) (to qualify for this exemption you must enter your current license number), or (2) have passed this examination within the past 12 months. The Qualified Applicator Certificate and Pest Control Dealer’s Designated Agent License do not meet the exemption requirements. Structural Pest Control Operators and out-of-state licenses or certificates also do not meet the exemption requirements. The Laws, Regulations, and Basic Principles examination is not required for Journeyman and Vector Control applicants.</p>	<p>Clarify duration as 12 months (consistent with other DPR applications). For clarity, statement added regarding Journeyman and Vector Control applicants which is consistent with page 1. This added statement is consistent with proposed 3 CCR section 6504(b)(1) and (b)(4).</p>
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**E. Examination Schedule**

<p>Provide your first and second choice for taking your examination(s). Indicate the examination month and location in the appropriate boxes for each choice. Examination month and location options may be obtained from DPR’s Web site at: &lt;<a href="http://www.cdpr.ca.gov/docs/license/exam_sched.pdf">www.cdpr.ca.gov/docs/license/exam_sched.pdf</a>&gt;. The examination schedule gives the location, schedule, and final filing dates. Your application must be <i>postmarked</i> by the final filing date for the earliest choice you provided. DPR will assign your examination date in the order it is received, based on seat availability.</p>	<p>Provide your first and second choice for taking your examination(s). Indicate the examination month and location in the appropriate boxes for each choice. Your exam date and location choices are not guaranteed. Go to DPR’s Web site to find <a href="#">current exam information</a>. If you selected an exam date, your application must be postmarked by the final filing date for the earliest choice you provided. DPR will assign your examination date.</p>	<p>Add clarification that exam date and locations are not guaranteed, which is consistent with page 1 of the form. Reword and simplify instructions for clarity. Remove URL and make text a hyperlink for ADA purposes.</p>
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**F. Reasonable Accommodation**

<p>Reasonable accommodation will be provided to applicants who need assistance to take a written examination. If you check “Yes”, you will be contacted via phone, e-mail, or mail.</p>	<p>Reasonable accommodation will be provided to applicants who need assistance to take an examination. If you check “Yes”, you will be contacted.</p>	<p>Remove “written” for clarity, as not all DPR exams may be written (i.e. some exams are computer based), and to support those who need reasonable accommodation to take those other types of exams as well. Contact types removed for clarity as they are not necessary.</p>
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**I. Declaration/Signature Block**

Applicant must sign and date their application verifying that all information submitted is true and correct.	Sign here to indicate that all of the information submitted is true and correct.	Reword instructions for consistency with page 1 of this form and to match instructions on other DPR forms.
<b>Mailing Instructions</b>		
Cashier, Department of Pesticide Regulation P.O. Box 4015 Sacramento, California 95812-4015.	Department of Pesticide Regulation Attn: Cashier MS-4A PO Box 4015 Sacramento, California 95812-4015	Reformat and reorder to reflect best address to regularly receive mail.

**Table 3. Pest Control Aircraft Pilot Certificate Application form DPR-PML-005 (Rev. 07/18) Page 3, Statement of Pilot Supervision** indicates the original text, proposed changes, and justification for the changes to the third page of this form.

<b>Pest Control Aircraft Pilot Certificate Application form DPR-PML-005 (Rev. 07/18) Page 3</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL AIRCRAFT PILOT CERTIFICATE APPLICATION STATEMENT OF PILOT SUPERVISION DPR-PML-005 (Rev. 07/18)	Pest Control Aircraft Pilot Certificate Application Statement of Pilot Supervision LIC-005 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.

**Table 4. Pest Control Business License Application form DPR-PML-042 (Rev. 10/18) Page 1** indicates the original text of, proposed changes to, and justification for the changes to the first page of this form.

<b>Pest Control Business License Application form DPR-PML-042 (Rev. 10/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL BUSINESS LICENSE APPLICATION DPR-PML-042 (Rev. 10/18)	Pest Control Business License Application LIC-042 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.

DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH LICENSING AND CERTIFICATION PROGRAM P.O. BOX 4015 SACRAMENTO, CALIFORNIA 95812-4015 (916) 445-4038 FAX (916) 445-4033 Web Site: <a href="http://www.cdpr.ca.gov">http://www.cdpr.ca.gov</a>	Department of Pesticide Regulation Licensing and Certification Program PO Box 4015 Sacramento, California 95812-4015 E-Mail: <a href="mailto:LicenseMail@cdpr.ca.gov">LicenseMail@cdpr.ca.gov</a> Web Site: <a href="http://www.cdpr.ca.gov">http://www.cdpr.ca.gov</a>	Remove 'Pest Management and Licensing Branch' due to department reorganization. Remove phone and fax numbers and add e-mail; as email is the most efficient contact method for DPR.
<b>A. Application Type</b>		
	<input type="checkbox"/> Owner / Entity-Type Change	Add new checkbox for Owner/Entity change. This is to provide an option for the applicant to notify DPR of changes in the owner/entity of a pest control business. This is required by, and consistent with, 3 CCR section 6508.
	<input type="checkbox"/> Change / Update Qualified Applicator (Complete Section G)	Add new checkbox for Change/Update Qualified Applicator. This is to provide an option for the applicant to notify DPR of changes/updates in the qualified person at a pest control business. This is required by, and consistent with, 3 CCR section 6508.
PEST CONTROL BUSINESS LICENSE #		Remove and relocate this field to section B.
<b>B. Business Information</b>		
	DBA	Add field for DBA (Doing Business As) name, which is the name a company may operate under rather than its legal name. Many companies use a DBA name, so it is necessary for DPR to collect this information to keep track of the DBA a business may be operating under to ensure DPR is able to communicate with the appropriate business.
FAX NUMBER	Pest Control Business License #	Remove Fax Number, as the most efficient form of contact information for DPR is E-Mail, and relocate Pest Control Business License # from section A to this field.
BUSINESS MAILING ADDRESS (Number and Street or P.O. Box Number)	Business Mailing Address (Number and Street or PO Box)	Remove "Number" after "P.O. Box" for formatting consistency.
<b>C. Former Business Name</b>		

LICENSE NUMBER (optional)	License Number	Remove “(optional)” because DPR needs this information to verify former business information.
<b>D. Business Owner(s)</b>		
<b>D. Business Officers or Owners.</b> Attach additional sheet if necessary.	<b>D. Business Owner(s).</b> Attach additional sheet if necessary.	Split owners and officers into two sections to clarify that owner information is needed and not officer information alone. This requirement will ensure that in instances where changes in ownership of a business occur, the new business owner is required to submit a new application to DPR for the business in order to continue operating. In addition, this will ensure DPR is aware of, and has all information required, to contact the primary business owner responsible for the business, if necessary, as officers are not the primary business owners.
MAILING ADDRESS ( <i>Number and Street or P.O. Box Number</i> )	Mailing Address (Number and Street or PO Box)	Remove “Number” after “P.O. Box” for formatting consistency.
<b>E. Business Officer(s)</b>		
	<b>E. Business Officer(s).</b> Attach additional sheet if necessary.	Add new section for business officer information. This information is currently required in Section D of the current form. Split owners and officers into two sections to clarify that an officer is needed and not an owner alone. This requirement is to ensure that if an owner is not available or DPR is unable to reach an officer responsible for a business, DPR has a secondary contact to reach. This further ensures DPR is aware of, and has all information required, to contact a business and the individual(s) responsible for the business, if necessary.
	1) Name Title Mailing Address (Number and Street or PO Box) (City) (State) (ZIP Code)	Add fields for an additional officer as a business can have several officers. This information is currently required in Section D of the current form.



MAILING ADDRESS ( <i>Number and Street or P.O. Box Number</i> )	Mailing Address (Number and Street or PO Box)	Remove periods and “Number” after “P.O. Box” for formatting consistency.
<b>F. Qualified Applicator at Each Business Location</b>		
<b>E. Qualified Applicator and Branch Location.</b> Each business and branch location must have a qualified applicator who possesses a valid Qualified Applicator License (QAL) with the appropriate pest control category(ies). The qualified applicator is responsible for supervising all pest control operations performed by each main or branch location. Attach an additional sheet if necessary.	<b>F. Qualified Applicator at Each Business Location.</b> Each business and branch location must have its own qualified applicator who possesses a valid Qualified Applicator License (QAL) with the appropriate pest control category(ies). The qualified applicator is responsible for supervising all pest control operations performed by each main or branch location. Attach an additional sheet if necessary.	Update section letter due to the addition of E. Update section title to clarify the type of information being requested in this section. Repword instructions to clarify that each business and branch location must have its own qualified applicator. This is consistent with Food and Agricultural Code (FAC) section 11708.
1) QUALIFIED APPLICATOR’S NAME QUALIFIED APPLICATOR LICENSE NUMBER PEST CONTROL CATEGORIES	1) Qualified Applicator’s Name – Main Business Location QAL Number and Category(ies)	Specify that the information required in this field pertains to the main business location. This helps DPR identify who is responsible at the main business location. Combine number and category fields for improved formatting/spacing.
2) QUALIFIED APPLICATOR’S NAME QUALIFIED APPLICATOR LICENSE NUMBER PEST CONTROL CATEGORIES	2) Qualified Applicator’s Name – Branch Business Location QAL Number and Category(ies)	Specify that the information required in this field pertains to the branch business location. This helps DPR identify who is responsible at the branch business location. Combine number and category fields for improved formatting/spacing.
<b>G. Qualified Applicator Changes</b>		
	<b>G. Qualified Applicator Changes.</b> Please complete this section to update DPR’s records if the qualified applicator for your business operation(s) has changed. Attach additional sheet if necessary.	Add new section and instructions for Qualified Applicator changes. This provides a space for applicants to notify DPR of changes/updates in the qualified person at a pest control business. This is required by, and consistent with, 3 CCR section 6508.

<p>3) QUALIFIED APPLICATOR'S NAME  QUALIFIED APPLICATOR LICENSE NUMBER  PEST CONTROL CATEGORIES  EXPIRATION DATE</p>	<p>1) Current Qualified Applicator's Name  QAL Number and Category(ies)  Stop Date</p>	<p>Renumber existing fields from previous section. Change existing fields and require the applicant to provide the following information: current Qualified Applicator's name, QAL number and category(ies), and Stop Date. It is necessary for DPR to require the stop date of the current Qualified Applicator, so DPR knows when this individual will no longer be supervising the activities of the business and so DPR can update this information in the licensing database accordingly. It is necessary for DPR to require the applicators name and QAL number and category(ies) so DPR may verify that the QAL individual being removed on the stop date is correct.</p>
<p>BRANCH LOCATION ADDRESS  <i>(Number and Street)</i>  <i>(City)</i>  <i>(State)</i>  <i>(ZIP Code)</i></p>	<p>New Qualified Applicator's Name  QAL Number and Category(ies)  Start Date</p>	<p>Change existing fields and require the applicant to provide the following information: new Qualified Applicator name, QAL Number and category(ies), and start date. It is necessary for DPR to require the start date of the new Qualified Applicator so DPR knows when this individual will start supervising the activities of a business and so DPR can update this information in the licensing database accordingly. It is necessary for DPR to require the applicators name and QAL number and category(ies) so DPR may verify that the QAL individual being added on the start date is correct and appropriately licensed (in the correct category(ies)) to supervise business activities. This is consistent with FAC section 11701.5.</p>
<p>4) QUALIFIED APPLICATOR'S NAME  QUALIFIED APPLICATOR LICENSE NUMBER  PEST CONTROL CATEGORIES  EXPIRATION DATE</p>	<p>2) Current Qualified Applicator's Name  QAL Number and Category(ies)  Stop Date</p>	<p>Renumber existing fields from previous section, and change existing fields to add a space for additional change in qualified person as there may be multiple changes.</p>
<p>BRANCH LOCATION ADDRESS  <i>(Number and Street)</i>  <i>(City)</i>  <i>(State)</i>  <i>(ZIP Code)</i></p>	<p>New Qualified Applicator's Name  QAL Number and Category(ies)  Start Date</p>	<p>Change existing fields to add space for an additional change in qualified person as there may be multiple changes.</p>

5) QUALIFIED APPLICATOR'S NAME QUALIFIED APPLICATOR LICENSE NUMBER PEST CONTROL CATEGORIES EXPIRATION DATE BRANCH LOCATION ADDRESS <i>(Number and Street)</i> <i>(City)</i> <i>(State)</i> <i>(ZIP Code)</i>		Remove for page spacing. As indicated in the proposed section instructions, applicants can attach additional sheets if additional qualified applicators need to be listed.
<i>Application Continued on Page 2</i>		Remove statement to improve spacing as it is not needed.

**Table 4. Pest Control Business License Application form DPR-PML-042 (Rev. 10/18)**

**Page 2** indicates the original text, proposed changes, and justification for the changes to the second page of this form.

<b>Pest Control Business License Application form DPR-PML-042 (Rev. 10/23)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL BUSINESS LICENSE APPLICATION DPR-PML-042 (Rev. 10/18)	Pest Control Business License Application LIC-042 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
<b>H. Pest Control Business Type.</b>		
<b>F. Pest Control Business Type.</b>	<b>H. Pest Control Business Type.</b>	Update section letter due to the addition of new application sections.
Product	Non-Soil	Replace "Product" checkbox option with "Non-Soil" to be consistent with proposed 3 CCR section 6530(m), "Non-Soil Fumigation." "Product" is not a fumigation category; removal of this option helps clarify a business's fumigant use situations consistent with the proposed regulations.

L. Wood Treatment	L. Soil Fumigation	The wood treatment (also known as Wood Preservation) subcategory is being removed from 3 CCR section 6530(l) and will no longer be available for certification. Replace this Wood Treatment subcategory with proposed Soil Fumigation category, which is being added to 3 CCR section 6530(l). These changes are for consistency with the proposed removal and addition in 3 CCR section 6530(l).
	M. Non-Soil Fumigation	Add new checkbox option for proposed category of Non-Soil Fumigation. This is consistent with proposed 3 CCR section 6530(m).
P. Microbial		Remove Microbial subcategory as it will no longer be available for certification. This is consistent with 3 CCR section 6530.
N. Sewer Line Root Control		Remove Sewer Line Root Control subcategory as it will no longer be available for certification. This is consistent with 3 CCR section 6530.
O. Field Fumigation		Remove Field Fumigation subcategory. Activities associated with this subcategory are now captured under the proposed Soil Fumigation category. This is consistent with 3 CCR section 6530(l).
<b>I. Financial Responsibility</b>		
<b>G. Liability Insurance.</b>	<b>I. Financial Responsibility.</b>	Update section letter due to the addition of other form sections. Change section name to clarify that other forms or financial responsibility besides liability insurance are acceptable, as liability insurance is only one type of financial responsibility that can be submitted.

Each applicant must show proof of financial responsibility that meets the requirements of section 6524 of Title 3, California Code of Regulations (3 CCR). Proof of financial responsibility is demonstrated by having your insurance carrier complete one of the two attached insurance certificates or some other method approved by the Department.	Each applicant must show proof of financial responsibility that meets the requirements of section 6524 of Title 3, California Code of Regulations (3 CCR). Proof of financial responsibility is demonstrated by having your insurance carrier complete either the DPR Certificate of Insurance form (DPR-PML-052) or an ACORD. See instructions for details.	Clarify the requirement by adding the name of specific forms accepted by DPR as proof of financial responsibility and that additional information on this is provided in the instructions. These specific forms are currently attached to this form and are referenced in the current instructions for this form. The specific names of the forms are being included for additional clarity.
<b>J. Worker's Compensation Insurance</b>		
<b>H. Worker's Compensation Insurance.</b>	<b>J. Worker's Compensation Insurance.</b>	Update section letter due to the addition of other form sections.
<b>K. Fees</b>		
<b>I. Fees. All fees are non-transferable and non-refundable.</b> (See chart in the instructions on page 4)	<b>K. Fees. All fees are non-transferable and non-refundable.</b> (See "New License Fee Examples" on page 4)	Update section letter due to the addition of other form sections. Specify name of license fee chart to improve clarity.
Name/Address Change, Duplicate/Replacement Fee	Address Change, Duplicate/Replacement Fee	Remove "Name" as name changes are handled separately and the requirements to change a name are detailed in Section C of this form.
Enclose a check, money order, or credit card information for the total amount due. Make payable to: "DPR Cashier." Mailing Instructions: Mail your completed application, required documentation, and fees to: Cashier, Department of Pesticide Regulation P.O. Box 4015 Sacramento, California 95812-4015		Remove this information as it is duplicative and covered in depth in the instructions.
<b>L. Read Before Signing</b>		
<b>J. Read Before Signing.</b>	<b>L. Read Before Signing.</b>	Update section letter due to the addition of other form sections.
<b>M. Declaration/Signature Block</b>		

<i>K. I declare under penalty of perjury, under laws of the State of California, that the above information is true and correct.</i>	<b>M. I declare under penalty of perjury, under laws of the State of California, that the information submitted is true and correct. (Signature must be owner, officer, or QAL holder.)</b>	Update section letter due to the addition of other form sections. Reword for consistency with other application forms. Add statement to clarify that signature must be owner, officer, or QAL holder to improve clarity. This requirement is to specify that only individuals responsible for a business or its activities are allowed to sign the form. This ensures that a signature is received from a party liable for the business and its operations.
<i>Instructions on Pages 3 and 4</i>		Remove statement as it is not needed.

**Table 4. Pest Control Business License Application form DPR-PML-042 (Rev. 10/18) Page 3, instructions** indicates the original text, proposed changes, and justification for the changes to the third page of this form.

<b>Pest Control Business License Application form DPR-PML-042 (Rev. 10/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL BUSINESS LICENSE APPLICATION INSTRUCTIONS DPR-PML-042 (Rev. 10/18)	Pest Control Business License Application Instructions LIC-042 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
<b>Failure to complete or provide the requested information will delay the processing of your application.</b>	<b>Failure to complete or provide the requested information may delay the processing of your application.</b>	Reword statement for consistency between all DPR applications.
<b>A. Application Type</b>		
<b>Name/Address Change:</b> Every business shall immediately notify the Department of Pesticide Regulation (DPR) of any change. Submit a copy of the legal document substantiating a name change. Address changes may be made directly on the application form. A new license will only be mailed if you submit a \$20 fee.	<b>Name/Address Change:</b> Address changes may be made directly on the application form. For address changes, a \$20 replacement fee is required. See section C for information on business name changes.	Reword to clarify where to make address changes and cost of replacement license. Clarify where name change instructions will be relocated and more appropriately included in the instructions in Section C (Former Business Name).
<b>Add Branch Location:</b> Adding a pest control business branch location to your license.	<b>Add Branch Location:</b> List additional pest control business branch location(s).	Reword for clarity.

	<b>Owner/Entity-Type Change:</b> Every business shall immediately notify DPR of any changes in ownership or entity-type. For business name or entity-type changes, you must re-apply as a new applicant and pay the appropriate fees.	Add instructions for the proposed addition of this type of change in Section A on page 1 of the form. These instructions are consistent with 3 CCR section 6508, and help clarify the process.
<b>Duplicate/Replacement License:</b> Requesting a duplicate or replacement license.	<b>Duplicate/Replacement License:</b> For a duplicate or replacement license, a \$20 replacement fee is required.	Reword for clarity and to include the required fee specified on page 1 of the form.
	<b>Change/Update Qualified Applicator:</b> For changes in a business's Qualified Applicator(s), refer to section G.	Add instructions for the proposed addition of this type of change in Section A on page 1 of the form.
<b>Pest Control Business License Number:</b> Enter your current pest control business license number.		Relocate these instructions to section B for consistency with the proposed change on page 1.
<b>B. Business Information (Main Location)</b>		
If you are changing your business name, enter your former business name, and license number (optional), in Section "C". If there is a change in business name or address you must immediately notify DPR in writing. Submit the following information with your new application of name change according to your business type below:	Enter your business name and DBA (if applicable). Enter E-Mail address, current DPR pest control business license number (if applicable), business phone number, business mailing address, business location address (if different from mailing address), and business type. Submit the required supporting documentation with your new application or name change (see section C) according to your business type below:	Update instructions to include fields added and for consistency with other changes in Section B on page 1. Clarify that additional instructions for a business name change are in Section C.
<b>Corporation, Limited Liability Company, or Limited Liability Partnership:</b> Submit a current copy of the "Certificate of Good Standing" which may be obtained from the Secretary of State, Certificate Department.	<b>Corporation, Limited Liability Company, or Limited Liability Partnership:</b> Submit a current copy of the "Certificate of Good Standing" which may be obtained from the California Secretary of State, Certificate Department.	Clarify that the "Certificate of Good Standing" must be obtained from the State of California's Secretary of State.

<p><b>Non-Profit Association:</b> If the business is a corporation, submit a current copy of the “Certificate of Good Standing” which may be obtained from the Secretary of State, Certificate Department, 1500 11th Street, Sacramento, California 95814. If the business name is different than your surname (last name), submit a “Fictitious Business Name Statement” which may be obtained from the county clerk’s office.</p>	<p><b>Non-Profit Association:</b> If the business is a corporation, submit a current copy of the “Certificate of Good Standing” which may be obtained from the California Secretary of State, Certificate Department. If the business name is different than your surname (last name), submit a “Fictitious Business Name Statement” which may be obtained from the county clerk’s office.</p>	<p>Clarify that the “Certificate of Good Standing” must be obtained from the State of California’s Secretary of State. Remove Secretary of State’s Certificate Department address as this information is subject to change and not under DPR’s control.</p>
<p><b>C. Former Business Name</b></p>		
<p>Enter the former name and license number (optional) in this section of the application.</p>	<p>If you are changing your business name, enter your former business name and license number. Submit the required supporting documentation with your name change according to your business type in section B. A \$20 replacement fee is required. Note: name changes may affect your current renewal cycle and additional fees may apply.</p>	<p>Reword and clarify instructions for business name change. Also, reword and add name change instructions previously located in Section A (Name/Address Change). This clarification ensures applicants successfully provide the information DPR requires.</p>
<p><b>D. Business Owner(s)</b></p>		
<p><b><u>D. Business Officers or Owners:</u></b></p>	<p><b>D. Business Owner(s):</b></p>	<p>Split owners and officers into two sections to clarify that an owner is needed and not officers alone and to be consistent with revisions made to page 1 of the form. This requirement is to ensure that in instances where changes in ownership of a business occur, the new business owner is required to submit a new application to DPR for the business in order to continue operating. This further ensures DPR is aware of, and has all information required, to contact the primary business owner responsible for the business, if necessary.</p>
<p>List the name, title, and mailing address of the business owner(s). If necessary, use an additional sheet of paper. Notify DPR immediately if there is a change in the business ownership or organization. A new application and fee must be immediately submitted for this change.</p>	<p>List the name, title, and mailing address of the business owner(s). If necessary, attach an additional sheet of paper.</p>	<p>Change of ownership instructions relocated to Section A (Owner/Entity-Type Change). Also, simplify instructions to improve clarity.</p>
<p><b>E. Business Officer(s)</b></p>		



	<b>E. Business Officer(s):</b> List the name, title, and mailing address of the business officer(s). If necessary, attach an additional sheet of paper.	Split owners and officers into two sections to clarify that an owner is needed and not officers alone and to be consistent with revision made to page 1 of this form. Also, add instructions for new section.
<b>F. Qualified Applicator at Each Business Location</b>		
<b>E. Qualified Applicator and Branch Location:</b>	<b>F. Qualified Applicator at Each Business Location:</b>	Update section letter due to the addition of new sections. Change section title to clarify the updated content of section.
Each business and branch office must have a qualified applicator who possesses a valid Qualified Applicator License (QAL) with the appropriate pest control category(ies) to engage in the business of pest control from that location. Each main and branch location must have its own qualified applicator responsible for supervising all pest control operations performed at that location. Use an additional sheet of paper if necessary. If there is a change in the qualified applicator for the business, notify DPR immediately. There is no fee required for this change. If the branch name is different from the main business name, indicate the branch name and submit a "Fictitious Business Name Statement" which may be obtained from the county clerk's office.	Each business and branch office must have a qualified applicator who possesses a valid Qualified Applicator License (QAL) with the appropriate pest control category(ies) to engage in the business of pest control from that location. Each main and branch location must have its own qualified applicator responsible for supervising all pest control operations performed at that location. Use an additional sheet of paper if necessary. Enter the name(s) and license number(s) of the qualified applicators for the business.	More appropriately relocate qualified applicator change instructions to revised Section G. Remove branch name information as all branch names match the main business name in DPR's database. This also ensures information across all locations remains consistent. Add instructions for applicant to provide name(s) and license number(s) of the qualified applicators. It is necessary for DPR to require the applicator's name and license number, so DPR may verify that the individual supervising business activities has the appropriate license type and category(ies). This is consistent with FAC section 11701.5.
<b>G. Qualified Applicator Changes</b>		
	<b>G. Qualified Applicator Changes:</b> Enter the name(s) of the new qualified applicator(s) for your business. Each business must have a qualified person who possesses a valid Qualified Applicator License (QAL) with the appropriate category(ies).	Add new section and instructions for Qualified Applicator changes. Also, add statement to clarify that each business must have a qualified person with a QAL. This is consistent with Food and Agricultural Code (FAC) section 11701.5 and the addition of it to the application form improves the clarity of this requirement for applicants.
<b>H. Pest Control Business Type</b>		
<b>F. Pest Control Business Type:</b>	<b>H. Pest Control Business Type:</b>	Update section letter due to the addition of new sections.
<b>I. Financial Responsibility</b>		

<b>G. Liability Insurance:</b>	<b>I. Financial Responsibility:</b>	Update section letter due to the addition of new sections. Change section name to clarify that other forms or financial responsibility besides liability insurance are acceptable, as liability insurance is only one type of financial responsibility that can be submitted.
1. File with DPR an approved certificate of insurance certifying liability insurance coverage that meets the minimum requirements. This can be achieved by having your insurance carrier complete either the attached Certificate of Insurance (DPR-PML-052, Rev. 8/11) or the attached Certificate of Insurance Requirements Statement (PR-PML-173). If you use the Certificate of Insurance Requirements Statement form, have your insurance carrier submit their Certificate of Insurance along with an endorsement for pollution coverage if necessary and an “ACORD” that meets the requirements in 3 CCR 6524.	1. File with DPR an approved certificate of insurance certifying liability insurance coverage that meets the minimum requirements in 3 CCR 6524. <ul style="list-style-type: none"> <li>• An ACORD Certificate of Insurance from your insurance company. If you choose the ACORD certificate, the following information must appear in the "Certificate Holder" box at the bottom of the form: <ul style="list-style-type: none"> <li>◇ <b>Department of Pesticide Regulation</b> <b>DPRinsurance@cdpr.ca.gov</b></li> </ul> </li> <li>• A DPR Certificate of Insurance form (DPR-PML-052, Rev. 08/11)</li> </ul>	Add bullet points to clarify the two different options to demonstrate financial responsibility.  DPR-PML-042, along with this mention of PR-PML-173, was incorporated by reference into section 6502 in 2003 (OAL File No. 03-1022-02). When DPR-PML-042 was adopted, PR-PML-173 was mentioned in the instructions, but never incorporated by reference, and was not on record. In addition, PR-PML-173 has not been used by DPR or by the applicant in over 10 years. Therefore, DPR proposes to remove mention of PR-PML-173 as it has been replaced by the other listed approved certificate of insurance options specified in section 6524. Additionally, this is necessary to ensure the form instructions align with financial responsibility requirements in section 6524.  Specify what must be stated in the “Certificate Holder” box to ensure that the insurer is providing the information directly to DPR.  These clarifications improve applicant’s understanding of information that is acceptable to provide to DPR.
2. A Certificate of Deposit that meets the minimum requirements in 3 CCR section 6524.	2. A \$75,000 Certificate of Deposit that meets the minimum requirements in 3 CCR section 6524.	Add amount for certificate of deposit specified in section 3 CCR section 6524.
3. A surety bond that meets the minimum requirements in 3 CCR section 6524.	3. A \$75,000 surety bond that meets the minimum requirements in 3 CCR section 6524.	Add amount for surety bond specified in section 3 CCR section 6524.
See the Financial Responsibility Options chart in 3 CCR section 6524 for specific coverage requirements. If you have questions, call DPR.	See the Financial Responsibility Options chart in 3 CCR section 6524 for specific coverage requirements. If you have questions, E-Mail DPR.	Change “call” to “E-Mail,” as email is the most efficient contact method for the department.

**Table 4. Pest Control Business License Application form DPR-PML-042 (Rev. 10/18)**  
**Page 4, instructions** indicates the original text, proposed changes, and justification for the changes to the fourth page of this form.

<b>Pest Control Business License Application form DPR-PML-042 (Rev. 10/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL BUSINESS LICENSE APPLICATION INSTRUCTIONS DPR-PML-042 (Rev. 10/18)	Pest Control Business License Application Instructions LIC-042 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
<b>J. Worker's Compensation Insurance</b>		
<b>H. <u>Worker's Compensation Insurance:</u></b>	<b>J. Worker's Compensation Insurance:</b>	Update section letter due to the addition of new sections.
<b>K. Fees</b>		
<b>I. <u>Fees:</u></b>	<b>K. Fees:</b>	Update section letter due to the addition of new sections.
[Fee chart] (*See below for "Fee chart" to be removed)		Remove this "Fee chart" information as it duplicates the information provided in the New License Fee Examples.
Name/Address Change, Duplicate/Replacement Fee	Address Change, Duplicate/Replacement Fee	Remove "Name" as name changes are handled separately and the requirements to change a name are detailed in Section C of this form. Also, relocate information below the New License Fee Examples chart.
	[New License Fee Examples chart] (**See below for new fee chart to be added)	Replace New License Fee Examples chart with an updated version that is better organized and clarifies fee payments based on DPR's even or odd year renewal cycle year.
<b>L. Read Before Signing</b>		
<b>J. <u>Read Before Signing:</u></b>	<b>L. Read Before Signing:</b>	Update section letter due to the addition of new sections.
<b>M. Declaration/Signature Block</b>		

<b>K. Declaration/Signature Block:</b> Sign and date your application.	<b>M. Declaration/Signature Block:</b> Sign here to indicate that all of the information submitted is true and correct. Signature must be owner, officer, or QAL holder.	Update section letter due to the addition of other form sections. Reword for consistency with other application forms. Add statement to clarify that signature must be owner, officer, or QAL holder to improve clarity. This requirement is to specify that only individuals responsible for a business or its activities are allowed to sign the form. This ensures that a signature is received from a party liable for the business and its operations.
Cashier Department of Pesticide Regulation P.O. Box 4015 Sacramento, California 95812-4015	Department of Pesticide Regulation Attn: Cashier MS-4A PO Box 4015 Sacramento, CA 95812-4015	Reorder to reflect best address to regularly receive mail. Remove periods for formatting consistency.

**\*Fee Chart – To be Removed**

	A-L business name submitting in even calendar year*	M-Z business name submitting in even calendar year*
	OR	OR
License Type	M-Z business name submitting in odd calendar year*	A-L business name submitting in odd calendar year*
Main Location	\$160	\$320
Branch Location	\$80	\$160

Year Submitting Application	Business Name Starts with...	Main License Application Fee	Branch License Application Fee	License expires on December 31 <sup>st</sup> of the:
Odd Calendar Year (i.e. 2019, 2021, 2023...)	A-L	\$320	\$160	next even calendar year current calendar year
	M-Z	\$160	\$80	
Even Calendar Year (i.e. 2018, 2020, 2022...)	A-L	\$160	\$80	current calendar year next odd calendar year
	M-Z	\$320	\$160	

**\*\*New License Fees Example Chart – To be Added**

**New License Fee Examples**

**New Application – Even Year (i.e. 2022, 2024, 2026...)**

Business Name Starts With...	You Pay...	Main Fee Amount	Branch Fee Amount
A-L	One-year Fee	\$160	\$80
M-Z	Two-year Fee	\$320	\$160

**New Application – Odd year (i.e. 2023, 2025, 2027...)**

Business Name Starts With...	You Pay...	Main Fee Amount	Branch Fee Amount
A-L	Two-year Fee	\$320	\$160
M-Z	One-year Fee	\$160	\$80

**Table 5. Pest Control Dealer Designated Agent License Application form DPR-PML-043 (Rev. 10/18) Page 1** indicates the original text, proposed changes, and justification for the changes to the first page of the form.

<b>Pest Control Dealer Designated Agent License Application form DPR-PML-043 (Rev. 10/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL DEALER DESIGNATED AGENT LICENSE APPLICATION DPR-PML-043 (REV. 10/18)	Pest Control Dealer Designated Agent License Application LIC-043 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH LICENSING AND CERTIFICATION PROGRAM P.O. BOX 4015 SACRAMENTO, CALIFORNIA 95812-4015 (916) 445-4038 FAX (916) 445-4033 Web site: <a href="http://www.cdpr.ca.gov/">http://www.cdpr.ca.gov/</a>	Department of Pesticide Regulation Licensing and Certification Program PO Box 4015 Sacramento, California 95812-4015 E-Mail: <a href="mailto:LicenseMail@cdpr.ca.gov">LicenseMail@cdpr.ca.gov</a> Web site: <a href="http://www.cdpr.ca.gov/">http://www.cdpr.ca.gov/</a>	Remove ‘Pest Management and Licensing Branch’ due to department reorganization. Remove phone number and fax and add e-mail address; as email is the most efficient contact method for DPR.

<b>The mailing address you indicate on this application is your address of record for your license/certificate. Therefore it is public information. You may wish to use a post office box in lieu of the physical address.</b>	<b>The mailing address you indicate on this application is your address of record for your license. Therefore it is public information. You may wish to use a post office box in lieu of the physical address.</b>	For clarity, remove the word certificate as this application is for a license only.
<b>A. Application Type</b>		
NEW APPLICATION (New Application Fee of \$25 is required in Section E)	New Application (New Application Fee of \$25 is required and a copy of valid government-issued documentation – See Instructions)	Add requirement to provide valid government-issued documentation. This will be used to verify identity and age, and is consistent with proposed 3 CCR section 6502(a)(1).
<b>B. Applicant Information</b>		
DEALER DESIGNATED AGENT #/EXAM ID APPLICATION # (If applicable)	Date of Birth (mm/dd/yyyy)	Relocate DDA license number (#) to the next field and remove “Exam ID Application #” as this is duplicative of the license number. Add date of birth to verify age eligibility of applicants. This is consistent with proposed 3 CCR section 6502(a)(1).
HOME PHONE NUMBER	Dealer Designated Agent # (If applicable)	Replace Home Phone Number field with Dealer Designated Agent license number. Home Phone Number will be relocated to the Cell Phone Number field.
CELL PHONE NUMBER	Cell or Home Phone Number	Add Home Phone Number (relocated from previous field) to Cell Phone Number field, allowing applicants to provide either cell OR home number, instead of both. The number of home landlines is trending down and some applicants no longer have a home phone number or prefer to be contacted by cell phone. Remove parentheses for spacing.
<b>C. Examination Schedule</b>		
<b>Examination Schedule.</b> To complete this section, see DPR’s Web site for the examination schedule for available months and locations. DPR will assign the exam date.	<b>Examination Schedule.</b> To complete this section, see DPR’s Web site for the examination schedule for available months and locations. DPR will assign the exam date. Your exam date and location choices are not guaranteed.	Reword and clarify that an individual’s requested exam date and location choices are not guaranteed.
<b>D. Reasonable Accommodation</b>		

Check if you need reasonable accommodation to take a written exam.	Check if you need reasonable accommodation to take an exam.	Remove “written” for clarity, as not all DPR exams may be written (i.e., some exams are computer based), and to support those who need reasonable accommodation to take those other types of exams as well.
<b>E. Fees</b>		
<i><b>Fees. All Fees are non-transferable and non-refundable. (Make check payable to “DPR Cashier”)</b></i>	<b>Fees. All fees are non-transferable and non-refundable.</b>	Remove parenthetical about check payment as all forms of payment are listed in the instructions.
<b>F. Read Before Signing</b>		
<i><b>Read Before Signing.</b> During the last three years have you had an administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary or in which any disciplinary action is pending?</i>	<b>Read Before Signing.</b> During the last three years have you had an administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary action or in which any disciplinary action is pending?	Add missing word, “action,” for clarity and consistency with other DPR application forms.
<b>G. Declaration/Signature Block</b>		
<i><b>I declare under penalty of perjury, under laws of the State of California, that the above information is true and correct.</b></i>	<b>I declare under penalty of perjury, under laws of the State of California, that the information submitted is true and correct.</b>	Reworded for clarity and consistency with other DPR application forms.

**Table 5. Pest Control Dealer Designated Agent License Application form DPR-PML-043 (Rev. 10/18) Page 2, instructions** indicates the original text, proposed changes, and justification for the changes to the second page of this form.

<b>Pest Control Dealer Designated Agent License Application form DPR-PML-043 (Rev. 10/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL DEALER DESIGNATED AGENT LICENSE APPLICATION DPR-PML-043 (REV. 10/18)	Pest Control Dealer Designated Agent License Application LIC-043 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
<b>Failure to complete or provide the requested information will delay the processing of your application.</b>	<b>Failure to complete or provide the requested information may delay the processing of your application.</b>	Reword statement for consistency between all DPR applications.

	DPR will only disclose personally identifiable information, such as home phone number and personal email address, to third parties as required by state or federal law or regulation and consistent with the Information Practices Act (Civ. Code, sections 1798-1798.78).	Added to clarify to applicants how personal information included on an application will be used.
<b>A. Application Type</b>		
Are applying for the Pest Control Dealer Designated Agent (DDA) License for the first time.	*Are applying for the Pest Control Dealer Designated Agent (DDA) License for the first time.	Add asterisk for new note.
	*Applications for a new license shall include an attached copy of valid government-issued documentation verifying that the applicant will meet the required minimum age of 18 years old prior to admission to the examination. The applicant's name included on the submitted application shall match the name stated on the valid government-issued documentation submitted.	Add requirement to provide valid government-issued documentation used to verify identity and age. This statement clarifies that the copy shall be attached to the application and that the name on the application and government-issued documentation must match. This is consistent with proposed 3 CCR section 6502(a)(1).
<b>B. Applicant Information</b>		
Enter your name; application number (if applicable); address; email address; home, work, and cell home phone numbers; and current employer information (if applicable).	Enter your name (name shall match the submitted valid government-issued documentation); date of birth; application number (if applicable); mailing address; E-Mail address; work and cell or home phone numbers; and current employer information (if applicable).	For consistency with proposed changes to page 1 of this form, add new information fields and reword existing information that will be required. Date of birth is to verify age eligibility of applicants (proposed 3 CCR section 6502(a)(1)). Add "mailing" to clarify the type of address, as this will be used to contact them. Reword phone numbers to account for combined cell and home phone fields.
<b>C. Examination Schedule</b>		
Provide your first and second choice. Indicate the examination month and location for each choice in the appropriate boxes. Exam month and location options may be obtained from DPR's Web site at < <a href="http://www.cdpr.ca.gov/docs/license/exam_sched.pdf">www.cdpr.ca.gov/docs/license/exam_sched.pdf</a> >. The exam schedule gives the location, schedule, and final filing dates. Your application must be <i>postmarked</i> by the final filing date for the earliest choice you provided. DPR will assign your exam date.	Provide your first and second choice. Indicate the examination month and location for each choice in the appropriate boxes. Your exam date and location choices are not guaranteed. Go to DPR's Web site to find <a href="#">current exam information</a> . If you selected an exam date, your application must be postmarked by the final filing date for the earliest choice you provided. DPR will assign your exam date.	Add clarification that exam date and locations are not guaranteed, which is consistent with page 1 of the form. Reword and simplify instructions for clarity. Remove URL and make text a hyperlink for ADA purposes.



<b>D. Reasonable Accommodation</b>		
Reasonable accommodation will be provided to applicants who need assistance to take a written exam. If you check “Yes” you will be contacted via phone, e-mail, or mail.	Reasonable accommodation will be provided to applicants who need assistance to take an exam. If you check “Yes” you will be contacted.	Remove “written” for clarity, as not all DPR exams may be written (i.e. some exams are computer based), and to support those who need reasonable accommodation to take those other types of exams as well. Also, remove contact types, as they are not necessary.
<b>G. Declaration/Signature Block</b>		
Sign and date your application.	Sign here to indicate that all of the information submitted is true and correct.	Reword instructions for consistency with page 1 of this form and to match instructions on other DPR forms.
<b>Mailing Instructions</b>		
Cashier, Department of Pesticide Regulation P.O. Box 4015 Sacramento, California 95812-4015.	Department of Pesticide Regulation Attn: Cashier MS-4A PO Box 4015 Sacramento, California 95812-4015	Reformat and reorder to reflect best address to regularly receive mail.

**Table 6. Agricultural Pest Control Adviser License Application form DPR-PML-084 (Rev. 01/18) Page 1** indicates the original text proposed changes, and justification for the changes to the first page of the form.

<b>Agricultural Pest Control Adviser License Application form DPR-PML-084 (Rev. 01/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
AGRICULTURAL PEST CONTROL ADVISER LICENSE APPLICATION DPR-PML-084 (REV. 01/18)	Agricultural Pest Control Adviser License Application LIC-084 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH LICENSING AND CERTIFICATION PROGRAM P.O. BOX 4015 SACRAMENTO, CALIFORNIA 95812-4015 (916) 445-4038 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov	Department of Pesticide Regulation Licensing and Certification Program PO Box 4015 Sacramento, California 95812-4015 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov	Remove ‘Pest Management and Licensing Branch’ due to department reorganization. Remove phone number as e-mail is the most efficient contact method for DPR.
<b>A. Application Type</b>		

NEW APPLICATION (New Application Fee of \$80 is required in Section G)	New Application (New Application Fee of \$80 is required and a copy of valid government-issued documentation – See Instructions)	Add requirement to provide valid government-issued documentation. This will be used to verify identity and age, and is consistent with proposed 3 CCR section 6502(a)(1).
<b>B. Applicant Information</b>		
ADVISER NUMBER/APPLICATION # (if applicable)	Date of Birth (mm/dd/yyyy)	Replace Adviser Number field with date of birth to verify age eligibility of applicants. This required information is consistent with proposed 3 CCR section 6502(a)(1). Adviser Number will be relocated to the next field. “Application #” will be removed as it is duplicative of “Adviser Number.”
HOME PHONE NUMBER ( )	Adviser License Number (If Applicable)	Replace Home Phone Number field with Adviser License Number. Home Phone Number will be relocated to the Cell Phone Number field.
CELL PHONE NUMBER ( )	Cell or Home Phone Number	Add Home Phone Number (relocated from previous field) to Cell Phone Number field, allowing applicants to provide either cell OR home number instead of both. The number of home landlines is trending down and some applicants no longer have a home phone number or prefer to be contacted by cell phone. Remove parentheses for spacing.
<b>C. Examination – Laws, Regulations and Basic Principles</b>		
This examination must be passed in addition to one or more categories in Section D below to obtain a PCA.	This examination must be passed in addition to one or more categories in Section D to obtain a PCA.	Remove “below” and add “obtain” for consistency with other applications. Individuals obtain a license rather than become a license.
	*Exemption: No fee or examination is required if you have passed this exam within the last 12 months.	For consistency with the instructions on page 2, add the exemption that no examination is required if the applicant has passed the exam within the last 12 months. Also, add that no fee is required for consistency with other DPR licenses and their associated application forms.
<b>D. Examinations – Categories</b>		

<p><b>D. Examinations – Categories.</b> Indicate the examination(s) you want to take by checking the appropriate boxes. One or more of the following exams must be passed in addition to the exam in Section C above. If you are requesting the Laws, Regulations and Basic Principles examination, a maximum of three (3) total examinations may be scheduled per location.</p>	<p><b>D. Examination – Categories.</b> Indicate the examination(s) you want to take by checking the appropriate boxes. One or more of the following exams must be passed in addition to the exam in Section C above. If you are requesting the Laws, Regulations, and Basic Principles examination, you may only select a maximum of two category examinations per application.</p>	<p>Remove plural header to be consistent with Section D instruction header on page 2. Reword and explain that only two categories may be taken if taking the Laws, Regulations, and Basic Principles exam (for a total of three exams). This clarifies what is permitted for a single scheduled examination period (i.e., each DPR scheduled examination period is a maximum of 4 hours) and is consistent with page 2 instructions. Also, correct grammar.</p>
<p><b>E. Examination Schedule</b></p>		
<p>To complete this section, see DPR Web site for the examination schedule for available months and locations. DPR will assign the exam date.</p>	<p>To complete this section, see DPR’s Web site for the examination schedule for available months and locations. DPR will assign the exam date. Your exam date and location choices are not guaranteed.</p>	<p>Reword and clarify that an individual’s requested exam date and location choices are not guaranteed.</p>
<p><b>F. Reasonable Accommodation</b></p>		
<p>Check if you need reasonable accommodation to take a written exam.</p>	<p>Check if you need reasonable accommodation to take an exam.</p>	<p>Remove “written” for clarity, as not all DPR exams may be written (i.e., some exams are computer based), and to support those who need reasonable accommodation to take those other types of exams as well.</p>
<p><b>G. Fees</b></p>		
<p><b><i>Fees. All Fees are non-transferable and non-refundable. (Make check payable to “DPR Cashier”)</i></b></p>	<p><b>Fees. All fees are non-transferable and non-refundable.</b></p>	<p>Remove parenthetical about check payment as all forms of payment are listed in the instructions.</p>
<p><b>H. Read Before Signing</b></p>		
<p>During the last three years have you had an administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary or in which any disciplinary action is pending?</p>	<p>During the last three years have you had an administrative, civil, or criminal action taken against you for violation of any State or federal laws or regulations relating to the application or use of pesticides that resulted in disciplinary action or in which any disciplinary action is pending?</p>	<p>Add missing word, “action,” for clarity and consistency with other DPR application forms.</p>
<p>YES (Attach explanation on separate page, if necessary.)</p>	<p>Yes (Attach explanation on separate page)</p>	<p>Remove to clarify that a separate page is always necessary if ‘Yes’ is checked as there is no space provided for an explanation.</p>

**Table 6. Agricultural Pest Control Adviser License Application form DPR-PML-084 (Rev. 01/18) Page 2, instructions** indicates the original text, proposed changes, and justification for the changes to the second page of this form.

<b>Agricultural Pest Control Adviser License Application form DPR-PML-084 (Rev. 01/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
AGRICULTURAL PEST CONTROL ADVISER LICENSE APPLICATION INSTRUCTIONS DPR-PML-084 (REV. 01/18)	Agricultural Pest Control Adviser License Application Instructions LIC-084 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
	DPR will only disclose personally identifiable information, such as home phone number and personal email address, to third parties as required by state or federal law or regulation and consistent with the Information Practices Act (Civ. Code, sections 1798-1798.78).	Added to clarify to applicants how personal information included on an application will be used.
<b>A. Application Type</b>		
Are applying for an Agricultural Pest Control Adviser (PCA) license for the first time.	*Are applying for an Agricultural Pest Control Adviser (PCA) license for the first time.	Add asterisk for new note.
	*Applications for a new license shall include an attached copy of valid government-issued documentation verifying that the applicant will meet the required minimum age of 18 years old prior to admission to the examination. The applicant's name included on the submitted application shall match the name stated on the valid government-issued documentation submitted.	Add requirement to provide valid government-issued documentation used to verify identity and age. This statement clarifies that the copy shall be attached to the application and that the name on the application and government-issued documentation must match. This is consistent with proposed 3 CCR section 6502(a)(1).
Minimum education requirements must be met. Submit a copy of your official college/university transcripts, along with the completed Core Course Requirements form.	Minimum education requirements must be met. Submit your official college/university transcripts, along with the completed Core Course Requirements form.	Remove "a copy of" to be consistent with 3 CCR subsection 6550(c) which requires an official transcript and not a copy.

<b>B. Applicant Information</b>		
Enter your name; Adviser License or Application Number (if applicable); address; email address; home; work; and cell phone numbers; and current employer (if applicable).	Enter your name (name used shall match the submitted valid government-issued documentation); Adviser License or Application Number (if applicable); date of birth; mailing address; E-Mail address; work and cell or home phone numbers; and current employer (if applicable).	For consistency with proposed changes to page 1 of this form, add new information fields and reword existing information that will be required. Date of birth is to verify age eligibility of applicants (proposed 3 CCR section 6502(a)(1)). Add “mailing” to clarify the type of address, as this will be used to contact them. Reword phone numbers to account for combined cell and home phone fields.
<b>D. Examination – Categories</b>		
<b>Examination - Category(ies):</b> Indicate the category(ies) you want to take by checking the appropriate box(es). In addition to the Laws, Regulations and Basic Principles examination, each new applicant must successfully pass at least one of the pest control categories (A-G) before an Agricultural Pest Control Adviser License is issued. A maximum of four (4) examinations may be scheduled per location and you may only test once per month. If you are requesting the Laws, Regulations and Basic Principles examination, a maximum of three (3) total examinations may be scheduled per location.	<b>Examination - Categories:</b> Indicate the category(ies) you want to take by checking the appropriate box(es). In addition to the Laws, Regulations, and Basic Principles examination, each new applicant must successfully pass at least one of the pest control categories (A-G) before an Agricultural Pest Control Adviser License is issued. A maximum of four examinations may be scheduled per application. If you are requesting the Laws, Regulations, and Basic Principles examination, a maximum of three total examinations (including the Laws, Regulations, and Basic Principles examination) may be scheduled per application. You may only apply once per month; exceptions to this are evaluated on a case by case basis.	Make title plural as there are multiple categories for applicants to choose from. Reword and clarify the number of exams that can be selected on one application. Add clarification that if taking the Laws, Regulations, and Basic Principles exam, the maximum three examinations includes the Laws, Regulations, and Basic Principles exam. This clarification ensures individuals are signing up for the correct number of exams as the Laws and Regulations examination is longer than most and takes additional time. Reword and clarify that “you may only test once per month” is intended to mean that individuals may only submit one application per month for clarity and to be consistent with other DPR applications.
<b>E. Examination Schedule</b>		
Provide your first and second choice for taking your exam(s). Indicate the exam month and location for each choice in the appropriate boxes. Exam month and location options may be obtained from DPR’s Web site at: < <a href="http://www.cdpr.ca.gov/docs/license/exam_sched.pdf">www.cdpr.ca.gov/docs/license/exam_sched.pdf</a> >. The examination schedule gives the location, schedule, and final filing dates. Your application must be <i>postmarked</i> by the final filing date for the earliest choice you provided. DPR will assign your exam date.	Provide your first and second choice for taking your exam(s). Indicate the exam month and location for each choice in the appropriate boxes. Your exam date and location choices are not guaranteed. Go to DPR’s Web site to find <a href="#">current exam information</a> . If you selected an exam date, your application must be postmarked by the final filing date for the earliest choice you provided. DPR will assign your exam date.	Add clarification that exam date and locations are not guaranteed, which is consistent with page 1 of the form. Reword and simplify instructions for clarity. Remove URL and make text a hyperlink for ADA purposes.
<b>F. Reasonable Accommodation</b>		

Reasonable accommodation will be provided to applicants who need assistance to take a written exam. If you check “Yes”, you will be contacted via phone, e-mail, or mail.	Reasonable accommodation will be provided to applicants who need assistance to take an exam. If you check “Yes”, you will be contacted.	Remove “written” for clarity, as not all DPR exams may be written (i.e. some exams are computer based), and to support those who need reasonable accommodation to take those other types of exams as well. Also, remove contact types, as they are not necessary.
<b>G. Fees</b>		
Category(ies) Examination Fee(s)	Category Examination Fee(s)	Remove plural of “category” for formatting consistency throughout form.
<b>I. Declaration/Signature Block</b>		
Sign and date your application.	Sign here to indicate that the information submitted is true and correct.	Reword instructions for consistency with page 1 of this form and to match instructions on other DPR forms.
<b>Mailing Instructions:</b> Enclose a check, money order, or credit card information payable to “Cashier, DPR” and mail to:	<b>Mailing Instructions:</b> Enclose a check, money order, or credit card information payable to “Cashier, DPR” with your application and mail to:	Clarify that payment must be sent with the application.
Cashier, Department of Pesticide Regulation P. O. Box 4015 Sacramento, California 95812-4015.	Department of Pesticide Regulation Attn: Cashier MS-4A PO Box 4015 Sacramento, CA 95812-4015	Reformat and reorder to reflect best address to regularly receive mail.

**Table 7. Individual License/Certificate Renewal Application form DPR-PML-141 (Rev. 07/18) Page 1** indicates the original text, proposed changes, and justification for the changes to the first page of this form.

<b>Individual License/Certificate Renewal Application form DPR-PML-141 (Rev. 07/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
STATE OF CALIFORNIA INDIVIDUAL LICENSE/CERTIFICATE RENEWAL APPLICATION DPR-PML-141 (Rev. 07/18) Page 1 of 2	State of California Individual License/Certificate Renewal Application LIC-141 (Rev. 07/23) Page 1 of 3	Update form number due to department reorganization and update revision date based on effective date of proposed regulations. Page number changed due to the addition of page 2 (Continuing Education Record Renewal Summary).

DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH LICENSING AND CERTIFICATION PROGRAM P.O. BOX 4015 SACRAMENTO, CALIFORNIA 95812 (916) 445-4038 EMAIL: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov/	Department of Pesticide Regulation Licensing and Certification Program PO Box 4015 Sacramento, California 95812-4015 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov/	Remove ‘Pest Management and Licensing Branch’ due to department reorganization. Update ZIP code for accuracy. Remove phone number as e- mail is the most efficient contact method for DPR.
	<b>License/Certificate Holder  Information</b>	Add heading to specify that the information stated in the box below is the license/certificate holder’s information.
Name: Address: City, State, Zip:	Name: Address: City, State, ZIP: Cell or Home Phone Number: E-Mail Address:  <input type="checkbox"/> Information is Correct <input type="checkbox"/> Information has Changed (see below)	Add additional fields to collect cell or home phone numbers, and relocate E- Mail field to this section from the bottom of the page. Cell and home phone numbers will be required to verify contact information provided on initial application is still accurate.  DPR sends this renewal form to license and certificate holders. When DPR prints this renewal form to mail to applicants, this box is auto-populated with the license/certificate holder’s information based on information currently in DPR’s database.  Add checkboxes for license/certificate holders to indicate if the auto-populated information is correct or has changed. This improves the accuracy of license/certificate holder information on file with DPR.
	<b>Employer/Business Information</b>	Add heading to specify that the information required in the box below is the Employer/Business information.

	Employer/Business Name: Business Phone Number:  <input type="checkbox"/> Information is Correct <input type="checkbox"/> Information has Changed (see below)	Add fields to collect employer/business name and phone number. These fields are required to verify that information provided on the individual's initial application is still accurate.  DPR sends this renewal form to license and certificate holders. When DPR prints this renewal form to mail to applicants, this box is auto-populated with the license/certificate holder's employer/business information based on information currently in DPR's database.  Add checkboxes for applicant to indicate if the auto populated information is correct or has changed. This improves the accuracy of license/certificate holder information on file with DPR.
	<b>Information Corrections</b> License/Certificate Holder Information: Employer/Business Information:	Add box and fields to provide a space for applicants to correct their license/certificate holder information and employer/business information, if auto-populated incorrectly.
Name Change Address Change <i>Enter changes above</i>		Remove box for name and address change, including checkboxes and instruction that changes be made above. These changes can now be made in the proposed section for Information Corrections.
<b>Continuing Education</b>		
-Excess "Laws" and "Aerial" hours can be used towards your "Other" hours. -DPR does not keep record of individuals' hours	-Excess "Laws" hours can be used towards "Other." Only pest control aircraft pilots may use excess "Aerial" hours towards "Other."	Reword to more clearly specify that excess aerial hours may only be used toward other by pest control aircraft pilots. This is to be consistent with proposed 3 CCR section 6511, which requires license or certificate holders to select continuing education courses applicable to their license or certificate type (i.e., aerial hours are only applicable to pest control aircraft pilots). Remove statement about DPR not keeping record of hours as this is no longer true due to proposed 3 CCR section 6513(d).
Post-marked after 12/31 <i>(see page 2)</i>	Postmarked after 12/31 <i>(see page 3)</i>	Correct spelling, and update page number due to the addition of page 2 (Continuing Education Record Renewal Summary).



	<b>Continuing Education Record Renewal Summary.</b> Submit a Continuing Education Record Renewal Summary located on page 2 of this application.	Add new requirement to submit this form (as it is currently optional), which is now located on page 2 of the application. This is to ensure DPR has the correct information to evaluate if an individual has completed the required amount of CE for renewal.
<b>Email Contact</b>		
<b>Email Contact.</b> If email is your preferred method of contact, please provide your email address below. EMAIL ADDRESS		Remove this section as it has been relocated into the license/certificate holder information.
<b>Declaration/Signature Block</b>		
<b>I declare under penalty of perjury, under laws of the State of California, that all submitted information is true and correct.</b>	<b>I declare under penalty of perjury, under laws of the State of California, that the submitted information is true and correct.</b>	Reword for consistency with other application forms.

**Table 7. Individual License/Certificate Renewal Application form DPR-PML-141 (Rev. 07/18) Page 2; Continuing Education Record Renewal Summary** indicates the proposed additions and justification for the additions to the second page of this form. *Note, the Continuing Education Record Renewal Summary form is currently referenced in the ‘License(s)/Certificate(s) to be renewed’ instructions on page 2 of this form, and was provided to license/certificate holders as an option for submitting a record of their CE hours. DPR is proposing to now require this summary form by including it as page 2 of the renewal application.*

<b>Individual License/Certificate Renewal Application form DPR-PML-141 (Rev. 07/18)</b>	
<b>Proposed Text</b>	<b>Justification</b>
<b>Form Title</b>	
State of California <b>Continuing Education Record Renewal Summary</b> LIC-141 (Rev. 07/23) Page 2 of 3	Add form title, form number, and page numbers for the application. This format is consistent with other DPR application forms. Form name and date is consistent with 3 CCR section 6502 (Table 2).
Instructions ( <a href="#">Electronic fillable copies of this form</a> are available on DPR’s website.)	Add heading to specify that the below information is instructions for the form and that additional copies of the form can be found on DPR’s Web site if needed. “Electronic fillable copies of this form” has been hyperlinked for navigation to additional forms; this formatting is in compliance with ADA requirements.

<p>1. For each approved continuing education (CE) course completed, enter the following: license or certificate holder's name, license or certificate number, title of course, name of CE sponsor, DPR course I.D. code, location of course, course date, and hours attended in each CE category. CE hours must be DPR-approved courses and obtained during the valid period of your license/certificate. Excess CE hours cannot be carried over to your next renewal period. You must meet the minimum required CE hours for "Laws," and "Aerial," if required; extra hours in "Laws" may be applied towards "Other." Only pest control aircraft pilots may use excess "Aerial" hours towards "Other." In the boxes located in the bottom right-hand corner, enter the total number of CE hours you have completed for the current renewal period. The Continuing Education Record Renewal Summary form must be returned with your renewal application. If the information on this form is incomplete, the processing of your renewal will be delayed. Use an additional sheet of this form if necessary.</p>	<p>Specify information required to be entered. This is consistent with 3 CCR section 6513(c)(1)-(c)(8) detailing the information CE course sponsors must include on a CE record provided to licensees upon completion of a CE course.</p> <p>Specify that CE hours must be DPR-approved courses and obtained during the valid period of your license/certificate is consistent with proposed 3 CCR section 6510(a).</p> <p>Add excess CE hour information for clarity; this information is consistent with 3 CCR section 6511, which requires license or certificate holder's to select continuing education courses applicable to their license or certificate type.</p> <p>Add directions on how to properly complete and submit the form for clarity. Clarify that individuals may submit more than one sheet of this form if additional space is needed to list CE courses.</p>
<p>2. <b>Do not</b> submit application and fee unless all required CE hours have been completed. If you fail to complete the required minimum CE hours by December 31 of your expiration year, you will be required to re-examine in laws and regulations, as well as categories you want to hold. A person who violates California's pesticide laws and regulations including making a false or fraudulent statement, record, report, or use any fraud or misrepresentation with meeting any license requirement is subject to penalties up to \$5,000 per violation; this includes falsifying a CE record.</p>	<p>Add instructions to clarify submission requirements. The December 31 required deadline is consistent with 3 CCR section 6500. Violation information is consistent with Food and Agricultural Code (FAC) section 11792. These instructions/information have been added for clarity in regards to meeting and submitting CE information for renewal purposes.</p>
<p>Applicant Name Certificate/License Type Certificate/License Number</p>	<p>Add information for DPR to identify the licensee and license or certificate the CE hours detailed will be used to renew.</p>
<p>Continuing Education Course Information</p>	<p>Add header detailing where CE course information should be added by a license holder.</p>
<p>CE Hours Completed Laws and Regulations (L) Aerial Application and Techniques (A) Other (O) Total Hours (T)</p>	<p>Add column for license holders to enter the amount of hours completed per CE category. CE categories stated are consistent with proposed 3 CCR section 6512. Abbreviations of (L), (A), (O), and (T) added to clarify CE hour type for each new CE course stated by a license holder.</p>
<p>Course Title DPR Course I.D. Code (L) (A) (O) (T)</p>	<p>This information required to be included is consistent with CE record information as required by 3 CCR section 6513(c). Abbreviations of (L), (A), (O), and (T) added to clarify CE hour type for each new CE course stated by a licensee. Additional rows reflecting the same information are added to provide necessary space to list multiple CE courses, if needed.</p>

Location (City and State) Course Date	This information required to be included is consistent with CE record information as required by 3 CCR section 6513(c).
Total CE Hours	Add space to list the total of CE hours completed (based on the course information provided) that will be applied towards a license or certificate renewal.

**Table 7. Individual License/Certificate Renewal Application form DPR-PML-141 (Rev. 07/18) Page 3, instructions** indicates the original text, proposed changes, and justification for the changes to the third page of the form.

<b>Individual License/Certificate Renewal Application form DPR-PML-141 (Rev. 07/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
STATE OF CALIFORNIA INDIVIDUAL LICENSE/CERTIFICATE RENEWAL APPLICATION INSTRUCTIONS DPR-PML-141 (Rev. 07/18) Page 2 of 2	State of California Individual License/Certificate Renewal Application Instructions LIC-141 (Rev. 07/23) Page 3 of 3	Update form number due to department reorganization and update revision date based on effective date of proposed regulations. Page number changed due to the addition of page 2 (Continuing Education Record Renewal Summary).
<b>Failure to complete or provide the requested information will delay the processing of your application.</b>	<b>Failure to complete or provide the requested information may delay the processing of your application.</b>	Reword statement for consistency between all DPR applications.
	DPR will only disclose personally identifiable information, such as home phone number and personal email address, to third parties as required by state or federal law or regulation and consistent with the Information Practices Act (Civ. Code, sections 1798-1798.78).	Added to clarify to applicants how personal information included on an application will be used.
<b>Instructions</b>		
<b>INSTRUCTIONS:</b> Review the following to ensure that your renewal application is complete before mailing:		Remove this advisory statement, as it is not necessary because it is implied.

<p><b><u>Change of Name/Address.</u></b> License/certificate holders shall notify DPR immediately of any business name or address change. Submit required documentation for a name change. Indicate any corrections on the front of the renewal form in the space provided.</p>	<p><b>Changes in Information:</b> License/certificate holders shall notify DPR immediately of any changes in information including, but not limited to: name changes, address changes, phone number changes, and employer/business information changes. Name changes shall include a copy of government-issued identification as proof of identity and name change. This proof of identity shall include the individual's previous name and their new name. Indicate any corrections to the information included on the front of the renewal form in the space provided.</p>	<p>Update subheading to more appropriately reflect that these are instructions for any changes in information. Notification to DPR of any changes in license or certificate information is required per 3 CCR section 6508(a). Add requirement to provide previous name and new name; this is used to verify current information on file with DPR (previous name) and the requested change in name (new name). Previous name information is necessary for DPR to locate and verify an individual in DPR's database. Also, add directions to clarify corrections to information can be made on page 1 of the application.</p>
<p><b><u>Submit a record of the total continuing education (CE) hours.</u></b></p>	<p><b>Submit a Continuing Education Records Renewal Summary form located on page 2 of this application. <a href="#">Electronic fillable copies of this form</a> are also available on DPR's website. Please note the following when submitting CE hours:</b></p>	<p>Specify that the Continuing Education Records Renewal Summary form on page 2 must be submitted with the renewal application. Add information on where fillable form copies can be found. "Electronic fillable copies of this form" will be made a hyperlink for easier navigation to additional forms and for compliance with ADA requirements. Add statement for series of CE information to follow.</p>
<p>-CE hours must be DPR-approved courses and obtained during the valid period of your license/certificate. -Excess CE hours cannot be carried over to your next renewal period. -You must meet the minimum required CE hours for "Laws," and "Aerial," if required; extra hours in "Laws" and/or "Aerial" may be applied towards "Other."</p>	<p>-CE hours must be DPR-approved courses and obtained during the valid period of your license/certificate. -Excess CE hours cannot be carried over to your next renewal period. -You must meet the minimum required CE hours for "Laws," and "Aerial," if required; extra hours in "Laws" may be applied towards "Other." Only pest control aircraft pilots may use excess "Aerial" hours towards "Other." -If renewing multiple licenses or certificates, you only need to complete CE hours for the license or certificate with the most CE hours required, including specific category hours required (e.g. "Aerial").</p>	<p>Clarify that only aircraft pilots may use excess "Aerial" hours as "Other" consistent with pages 1 and 2. This information improves the clarity of CE submission requirements for license/certificate holders. Combine multiple license renewal information with this section of instructions to improve organization.</p>

<p><b>If renewing multiple licenses/certificates:</b>          -If renewing multiple licenses or certificates, you only need to complete CE hours for the license or certificate with the most CE hours required.          -Complete and submit the Continuing Education Record Renewal Summary or a similar form.</p>		<p>Remove header and combine information with previous section to improve organization.</p>
<p><b>Declaration/Signature.</b> Sign and date the renewal application.</p>	<p><b>Declaration/Signature:</b> Sign here to indicate that all of the information submitted is true and correct.</p>	<p>Reword instructions for consistency with page 1 of this form and to match instructions on other DPR forms.</p>
<p><b>Mail.</b></p> <ul style="list-style-type: none"> <li>- Send payment</li> <li>- Completed renewal application form including the record of CE hours (courses)</li> <li>- Pilot’s Federal Aviation Administration medical certificate or Vector Control certification (if applicable)</li> <li>- Address the enclosed envelope to: Cashier, Department of Pesticide Regulation, P.O. Box 4015, Sacramento, California 95812.</li> </ul>	<p><b>Mail:</b></p> <ul style="list-style-type: none"> <li>- Send payment;</li> <li>- Completed renewal application form including the Continuing Education Records Renewal Summary form;</li> <li>- Pilot’s Federal Aviation Administration medical certificate or Vector Control certification (if applicable); and</li> <li>- Mail to:            Department of Pesticide Regulation            Attn: Cashier MS-4A            PO Box 4015            Sacramento, CA 95812-4015</li> </ul>	<p>Add semi-colons to make it a list and reword to ensure all list items are completed. Specify that CE Records Renewal Summary is part of the renewal application form and must be submitted with an individual’s renewal application. Update mailing address to be consistent across all application forms.</p>
<p><b>Questions?</b> Your name and license/certificate number will be posted to DPR’s Web site as soon as your application is approved and logged into the database. Our Web site address is &lt;<a href="http://www.cdpr.ca.gov/docs/license/currlic.htm">http://www.cdpr.ca.gov/docs/license/currlic.htm</a>&gt;. For other questions about your application, please contact the Licensing and Certification Program at (916) 445-4038 or by e-mail at <a href="mailto:LicenseMail@cdpr.ca.gov">LicenseMail@cdpr.ca.gov</a>.</p>	<p><b>Questions?</b> Your name and license/certificate number will be posted to <a href="#">the valid license list on DPR’s Web site</a> as soon as your application is approved and logged into the database. For other questions about your application, please contact the Licensing and Certification Program at (916) 445-4038 or by E-Mail at <a href="mailto:LicenseMail@cdpr.ca.gov">LicenseMail@cdpr.ca.gov</a>.</p>	<p>Clarify where information will be posted and make “the valid license list on DPR’s Web site” a hyperlink for improved navigation and compliance with ADA requirements. Due to the addition of hyperlink, remove Web Site address. Correct E-Mail capitalization.</p>

**Table 8. Pest Control Business Renewal Application form DPR-PML-192 (Rev. 04/18)**

**Page 1** indicates the original text, proposed changes, and justification for the changes to the first page of the form.

<b>Pest Control Business Renewal Application form DPR-PML-192 (Rev. 04/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL BUSINESS RENEWAL APPLICATION DPR-PML-192 (REV. 04/18) Page 1 of 2	Pest Control Business Renewal Application LIC-192 (Rev. 07/23) Page 1 of 2	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH LICENSING AND CERTIFICATION PROGRAM P.O. BOX 4015 SACRAMENTO, CALIFORNIA 95812-4015 (916) 445-4038 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov	Department of Pesticide Regulation Licensing and Certification Program PO Box 4015 Sacramento, California 95812-4015 E-Mail: LicenseMail@cdpr.ca.gov Web site: http://www.cdpr.ca.gov	Remove ‘Pest Management and Licensing Branch’ due to department reorganization. Remove phone number, as e-mail is the most efficient contact method for DPR.
	<b>Business Information</b>	Add header to clarify that the information directly below the header is to include the business’s information only.
Business License Number Business Name Address City, State, Zip:	<input type="checkbox"/> Check if Information is Correct Business License Number Business Name Address City, State, ZIP: E-Mail Address: Business Phone Number:	Add fields to collect business E-Mail address and phone number. These fields are required to verify information provided on the business’s initial application is still accurate.  DPR sends this renewal form to individuals who possess a business license. When DPR prints this renewal form to mail to applicants, this section is auto populated with the business’s information based on what is currently in DPR’s database.  Checkbox added so applicant can easily indicate to DPR if the auto populated information is correct or has changed.

<p>Name Change Mailing Address Change Enter Changes Above</p>	<p><b>Owner Information</b>  <input type="checkbox"/> Check if Information is Correct  Owner Name  Owner E-Mail  Owner Phone Number  List information for additional owners on a separate sheet of paper, if necessary.</p> <p><b>Officer Information</b>  <input type="checkbox"/> Check if Information is Correct  Officer Name  Officer E-Mail  Officer Phone Number  List information for additional officers on a separate sheet of paper, if necessary.</p>	<p>Remove name and address change checkboxes and instruction that changes be made above. These changes are now captured in the proposed "Information Corrections" section of the form.</p> <p>Add Owner and Officer Information sections (Name, E-Mail, Phone number). These fields are necessary to collect or auto-populate business information that is used to contact individuals of submitted applications, if needed, and verify that DPR has the correct information on file.</p> <p>Add checkboxes so applicant can easily indicate if any auto populated information is correct or has changed. Add clarification that a separate sheet can be added if additional owners/officers exist. This information helps DPR verify that the correct business information is on file.</p>
	<p><b>Information Corrections</b> (If above information is incorrect, include updated information here.)  <b>Business Information Changes:</b>  <b>Owner Information Changes:</b>  <b>Officer Information Changes:</b></p>	<p>Add section for applicants to correct information that may be incorrectly auto-populated in the fields above. This applies to Business Information, Owner Information, and Officer Information.</p>
<p><b>Financial Responsibility Requirement</b></p>		
<p>INSURANCE CARRIER NAME POLICY NUMBER EXPIRATION DATE</p>		<p>Remove these fields as the information duplicates what is provided on the required financial responsibility document(s) submitted.</p>
<p><b>Fees</b></p>		
<p>Enclose a check, money order, or credit card information for the total amount due. Make payable to "DPR Cashier."</p>	<p>Enclose a check, money order, or credit card information for the total amount due. Make payable to "Cashier, DPR."</p>	<p>Clarify whom to make payments to as requested by DPR's Accounting office. This assists DPR's Accounting office in processing payments.</p>
<p>Mail the payment, completed application form, and proof of financial responsibility documents to: Cashier, Department of Pesticide Regulation, P.O. Box 4015 MS-4A, Sacramento, CA 95812-4015. ALL FEES ARE NON-TRANSFERABLE AND NON-REFUNDABLE.</p>	<p>Mail the payment, completed application form, and proof of financial responsibility documents to: Department of Pesticide Regulation, Attn: Cashier MS-4A, PO Box 4015, Sacramento, CA 95812-4015. All fees are non-transferable and non-refundable.</p>	<p>Reorder to reflect best address to regularly receive mail.</p>
<p><b>Email Contact</b></p>		

<b>E-mail Contact</b> (optional) please provide your email address below: E-MAIL ADDRESS		Remove this section as it has been relocated to the Business Information section.
<b>Declaration/Signature Block</b>		
<b>I declare under penalty of perjury, under laws of the State of California, that the above information provided by me is true and correct.</b>	<b>I declare under penalty of perjury, under laws of the State of California, that the information submitted is true and correct. (Signature must be owner, officer, or QAL holder.)</b>	Reword for consistency with other application forms. Add statement to clarify that signature must be owner, officer, or QAL holder to improve clarity. This requirement is to specify that only individuals responsible for a business or its activities are allowed to sign the form. This ensures that a signature is received from a party liable for the business and its operations.
<b>Instructions on Page 2</b>		Remove statement as it is unnecessary.

**Table 8. Pest Control Business Renewal Application form DPR-PML-192 (Rev. 04/18)**  
**Page 2, instructions** indicates the original text, proposed changes, and justification for the changes to the second page of the form.

<b>Pest Control Business Renewal Application form DPR-PML-192 (Rev. 04/18)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
PEST CONTROL BUSINESS RENEWAL APPLICATION INSTRUCTIONS DPR-PML-192 (REV. 04/18) Page 2 of 2	Pest Control Business Renewal Application Instructions LIC-192 (Rev. 07/23) Page 2 of 2	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
<b>Failure to complete or provide the requested information will delay the processing of your application.</b>	<b>Failure to complete or provide the requested information may delay the processing of your application.</b>	Reword statement for consistency between all DPR applications.
<b>Changes in Information</b>		



<p><b><u>Change of Name/Address.</u></b> 3CCR Section 6508 requires all license/certificate holders to notify DPR immediately, in writing, of any change in information required on the application. Indicate any corrections that appear on the renewal form in the space provided.</p>	<p><b>Changes in Information.</b> Verify that the information provided is correct. 3CCR Section 6508 requires all license/certificate holders to notify DPR immediately, in writing, of any change in information required on the application including, but not limited to: business name changes, owner changes, and officer changes (this includes E-Mail, phone number, and address). Indicate any corrections to the information included on the front of the renewal form in the space provided. Include additional owners or officers information not stated on a separate sheet of paper, if necessary.</p>	<p>Update subheading to more appropriately reflect that these are instructions for any changes in information. Notification to DPR of any changes in license or certificate information is required per 3 CCR section 6508(a). Clarify in what instances DPR needs to be notified of changes. Add directions to clarify corrections to information can be made on page 1 of the application.</p>
<p><b>Qualified Applicator</b></p>		
<p><b><u>Qualified Applicator.</u></b> Each pest control business location (Main or Branch) must have a qualified applicator who possesses a valid Qualified Applicator License (QAL) with the appropriate pest control category(ies) to engage in pest control work from each location. Provide the name(s), license number and category(ies) of the qualified applicator who is responsible for supervising the pest control operations at each location. If additional space is needed, attach a separate sheet of paper. <b><i>If the Qualified Applicator's license is expiring this year, the license must be renewed before the business can be renewed.</i></b> The QAL can only supervise one (1) Pest Control Business Main <b>or</b> Branch.</p>	<p><b>Qualified Applicator.</b> Each pest control business location (Main or Branch) must have a qualified applicator who possesses a valid Qualified Applicator License (QAL) with the appropriate pest control category(ies) to engage in pest control work from each location. Provide the name(s), license number and category(ies) of the qualified applicator who is responsible for supervising the pest control operations at each location. If additional space is needed, attach a separate sheet of paper. <b>If the Qualified Applicator's license is expiring this year, the license must be renewed before the business can be renewed.</b> The QAL can only supervise one Pest Control Business Main <b>or</b> Branch.</p>	<p>Reword for clarity and reformat for ADA purposes.</p>
<p><b>Declaration/Signature</b></p>		
<p><b><u>Declaration/Signature.</u></b> Sign, title, and date the renewal application form.</p>	<p><b>Declaration/Signature.</b> Sign here to indicate that all of the information submitted is true and correct. Signature must be owner, officer, or QAL holder.</p>	<p>Reword for consistency with other application forms. Add statement to clarify that signature must be owner, officer, or QAL holder to improve clarity. This requirement is to specify that only individuals responsible for a business or its activities are allowed to sign the form. This ensures that a signature is received from a party liable for the business and its operations.</p>

Mail		
Cashier, Department of Pesticide Regulation P.O. Box 4015 MS-4A Sacramento, California 95812-4015	Department of Pesticide Regulation Attn: Cashier MS-4A PO Box 4015 Sacramento, CA 95812-4015	Reformat and reorder to reflect best address to regularly receive mail.
Your license number will be posted to < <a href="http://www.cdpr.ca.gov/docs/license/currlic.htm">http://www.cdpr.ca.gov/docs/license/currlic.htm</a> > as soon as your license is renewed.	Your license number will be posted to <a href="#">the valid license list on DPR's web site</a> as soon as your license is renewed.	Clarify where information will be posted and make "the valid license list on DPR's Web site" a hyperlink for improved navigation and compliance with ADA requirements. Due to the addition of hyperlink, remove Web site address.

**Table 9. Continuing Education Approval Request Application form DPR-PML-131 (Rev. 02/15) Page 1** indicates the original text, proposed changes, and justification for the changes to the first page of the form. *Note, to be consistent with the proposed regulations, which separate in-person CE courses and interactive online and webinar courses, this form will be split into two separate forms: In-Person Continuing Education Approval Request Application form (LIC-131A) and Interactive Online and Webinar Continuing Education Approval Request Application form (LIC-131B).*

Continuing Education Approval Request Application form DPR-PML-131 (Rev. 02/15)		
Current Text	Proposed Changes	Justification
<b>Form Title</b>		
CONTINUING EDUCATION APPROVAL REQUEST APPLICATION DPR-PML-131 (REV. 02/15)	In-Person Continuing Education Approval Request Application LIC-131A (Rev. 07/23) Page 1 of 3	Update form title to clarify that this form is for In-Person courses. This is consistent with proposed 3 CCR section 6512.1. Update form number due to department reorganization and update revision date based on effective date of proposed regulations. Add page number to be consistent with other DPR application forms.
DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING CONTINUING EDUCATION PROGRAM P.O. Box 1379 SACRAMENTO, CALIFORNIA 95812 (916) 603-7792 E-mail: CEmail@cdpr.gov Web site: www.cdpr.ca.gov/	Department of Pesticide Regulation Continuing Education Program PO Box 1379 Sacramento, California 95812 E-Mail: CEmail@cdpr.ca.gov Web site: www.cdpr.ca.gov/	Remove 'Pest Management and Licensing Branch' due to department reorganization. Remove phone number as e-mail is preferred method of contact for DPR.

Type or print this application in ink. Complete Section A, B, C, D, F and G. Additional instructions are on the reverse.	<b>For complete instructions see pages 2 &amp; 3.</b> Type or print this application in ink. Complete all sections, <b>except</b> section E and K.	Clarify that instructions are on pages 2 and 3. Relocate and update instructions from section A to the beginning of the application as they apply to the entire application and not just section A and to clarify which sections need to be completed as some are for DPR use only.
<b>A. Course Description</b>		
	Enter course information. To request additional dates for this specific course, see instructions on page 2.	Add instructions for section A to improve clarity and to specify that instructions for potential additional date requests are on page 2.
STARTING TIME	Start Time End Time	Split field for Start Time to add field for End Time. This is consistent with proposed 3 CCR section 6512.1(a)(1)(D).
<i>SPONSOR</i> <i>Check if County Agricultural Commissioner</i> Contact Information <i>EMAIL ADDRESS</i>	Sponsoring Organization or Business Name	Reword to clarify that a sponsor can be an organization or business. Remove checkbox for county as this is no longer needed. The proposed clarification to “sponsor” will now allow this information to be entered in this field. Contact information heading removed; as E-Mail Address has been relocated. Consolidate row into one field to provide a larger space for inputting the sponsor information.
<i>TELEPHONE NUMBER</i>	E-Mail Address	Relocate phone number to Fax Number field and relocate E-Mail to this field.
<i>FAX NUMBER</i>	Phone Number	Remove fax number and move Telephone Number to this field; as e-mail is the most efficient and preferred contact method for the department. Shorten “Telephone” to “phone” to be consistent with other DPR application forms.
<b>B. Course Type</b>		
Check appropriate boxes	Check the appropriate box(es), if applicable. See additional instructions on page 2.	Reword instructions to clarify that not all options may apply, and that that additional instructions are on page 2.

<p>Conference/Meeting Online School/College Correspondence</p>	<p>Course will occur over two or more days.</p>	<p>Remove checkboxes for conference/meeting, online, schools, and correspondence type courses; online courses are now detailed in proposed 3 CCR section 6512.2 and proposed LIC-131B form. Correspondence style courses will no longer be available as a type of course to sponsor; this is consistent with proposed 3 CCR sections 6512.1, 6512.2, and consistent with required course length in proposed section 6512(d). Conference/meeting and school type courses no longer need to be specified as this form is now only for in-person course types, regardless of setting. This is consistent with proposed 3 CCR section 6512.1. Checkbox added for sponsors to indicate if their course will occur over two or more days; as these types of courses must meet additional requirements; this is consistent with proposed 3 CCR section 6512.1(b) and helps DPR when reviewing an application to ensure the sponsor has submitted an application correctly.</p>
	<p>Course will have concurrent sessions.</p>	<p>Checkbox added for sponsors to indicate if their course has concurrent sessions; as these courses must meet additional requirements. This is consistent with proposed 3 CCR section 6512.1(c) and helps DPR when reviewing an application to ensure the sponsor has submitted an application correctly.</p>
<p><b>C. Course Availability</b></p>		
	<p>Closed to the Public</p>	<p>Add checkbox for “Closed to the Public” to improve clarity of information applicants provide as there is currently only an “Open to the Public” option.</p>

Course Language(s) other than English (optional):	Course Language(s) other than English:	Removed to clarify that providing the language that the course is hosted in (if not English) is not optional and should be provided. “Optional” has been removed to allow DPR to more accurately post on DPR’s website the language CE courses are presented in, which allows attendees to choose a course that best fits their needs.
<b>D. Hours Requested</b>		
<i>Hours Requested for Each Category</i>	<b>Hours Requested</b> – One Hour Minimum/8 Hour Maximum (see page 2)	Specify instruction of one hour minimum in section title. This is consistent with proposed 3 CCR section 6512(c). Specify instruction for 8 hour maximum. This is consistent with proposed 3 CCR sections 6512(d) and 6512.1(b). Clarify that additional information on this can be found in the instructions on page 2.
HOURS REQUESTED		Remove subheader as it is duplicative of the section’s title.
<b>E. Hours Approved</b>		
<i>Hours Approved for Each Category</i>	<b>Hours Approved</b> – DPR Use Only	Clarify this section is for DPR use only. This is consistent with application instructions.
HOURS APPROVED – DPR USE ONLY		Remove subheader as it is duplicative of the section’s title.
TOTAL NUMBER OF HOURS APPROVED	Total Hours Approved by DPR	Reworded for clarity.
<b>F. Attendance Estimation</b>		
	<b>F. Attendance Estimation.</b> Estimate the number of attendees.	Add section for Attendance Estimation. Relocated from existing “Target Audience” section for clarity.
<b>G. Target Audience</b>		
<i>F. Who is the Targeted Audience?</i> Estimate Number in Attendance:	<b>G. Target Audience.</b> Check the boxes identifying the type(s) of license and certificate holders this course is directed to.	Update section letter due to addition of section F. Add instructions for clarity. Relocate attendance estimation to new section F for clarity.

<p>Qualified Applicator (License) Qualified Applicator (Certificate)</p>	<p>Qualified Applicators</p>	<p>Add checkboxes to section for applicants to indicate target audience. Combine Qualified Applicator (License) and Qualified Applicator (Certificate) as one checkbox, as distinguishing between individuals is no longer necessary for DPR because CE courses for license holders are also appropriate for certificate holders, and vice versa.</p> <p>Remove individual estimation fields for each listed license or certificate type, as this information is now collected in proposed section F (Attendance Estimation) as a single estimation of all individuals anticipated to attend. This estimation format is changed from individual estimations to a single estimation as this information is not captured in DPR's CE database and therefore unnecessary to provide as individual values. A single value is sufficient as DPR uses this information strictly for reference if attending a CE course to audit.</p>
<p><b>H. Course Agenda</b></p>		
<p><i>G. Course Agenda – Submit a comprehensive agenda. The agenda must include the information as specified on the reverse.</i></p>	<p><b>H. Course Agenda.</b> Attach a comprehensive course agenda that contains the required information included on page 3.</p>	<p>Update section letter due to the addition of section F. Clarify that course agenda must be attached and where additional instructions on this can be found. This is consistent with proposed 3 CCR section 6512.1(a)(1).</p>
<p><b>I. Declaration/Signature Block</b></p>		
	<p><b>I. I declare under penalty of perjury, under the laws of the State of California, that all information on this application is true and correct.</b></p>	<p>Add new section letter and declaration to go with applicant signature; this declaration is included on all other DPR application forms and added for consistency in content and formatting. This statement is consistent with DPR's authority given by FAC section 11792.</p>
<p><b>J. Fees</b></p>		

<b>H. Fees.</b> <i>The processing fee is \$45 and covers all course dates that occur within the calendar year, provided that the identical comprehensive agenda is used for each date. Additional fee information is on the reverse.</i>	<b>J. Fees.</b> The processing fee is <b>\$45</b> for the calendar year. Additional fee information is on page 3.	Update section letter. Reword for clarity and remove duplicative information now detailed in section A instructions. Clarify that additional instructions are on page 3.
<b>K. Notification Status</b>		
<b>I. Notification Status – DPR USE ONLY</b>	<b>K. Notification Status.</b> DPR Use Only.	Update section letter due to the addition of new form sections.
Based on the information provided on your Continuing Education Approval Request Application, the course <b>did not</b> meet DPR’s approval requirements.	Based on the information provided in your In-Person Continuing Education Approval Request Application, the course <b>did not</b> meet DPR’s approval requirements.	Specify that this application is for in-person courses. This is consistent with proposed 3 CCR section 6512.1. Grammar corrections.

**Table 9. Continuing Education Approval Request Application form DPR-PML-131 (Rev. 02/15) Page 2, instructions** indicates the original text, proposed changes, and justification for the changes to the second page of this form. *Note, to be consistent with the proposed regulations, which separate in-person CE courses and interactive online and webinar courses, this form will be split into two separate forms: In-Person Continuing Education Approval Request Application form (LIC-131A) and Interactive Online and Webinar Continuing Education Approval Request Application form (LIC-131B).*

<b>Continuing Education Approval Request Application form DPR-PML-131 (Rev. 02/15)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
CONTINUING EDUCATION APPROVAL REQUEST APPLICATION INSTRUCTIONS	State of California In-Person Continuing Education Approval Request Application Instructions LIC-131A (Rev. 07/23) Page 2 of 3	Update form title to clarify that this form is for In-Person courses. This is consistent with proposed 3 CCR section 6512.1. Update form number due to department reorganization and update revision date based on effective date of proposed regulations. Add page number to be consistent with other DPR application forms.

<p>The purpose of continuing education is to ensure license and certificate holders keep their knowledge current in the area of pesticide laws and regulations; provide proper, safe and efficient pesticide use; protect the public health, environment, and property; and encourage safe working conditions for those working with or around pesticides. Continuing education course formats may include: College level instruction; professional or technical seminars; demonstrations relating to pesticides or pest management; and field trial tours. Courses must include at least one hour of approved material. <i>Note: Sales presentations will not be approved will not be approved.</i></p>	<p>The purpose of continuing education is to ensure license and certificate holders: keep their knowledge current in the area of pesticide laws and regulations; provide proper, safe and efficient pesticide use; protect public health, the environment, and property; and encourage safe working conditions for those working with or around pesticides. Courses submitted for Department of Pesticide Regulation (DPR) evaluation and approval must include approvable material as detailed in Title 3, California Code of Regulations (3CCR) Section 6512. Note, sales presentations, poster and/or vendor displays, professional introductions, registration time, driving time, and breaks will not be approved for continuing education credit.</p>	<p>Cite proposed 3 CCR section 6512 as it includes detailed approvable course topics and related information. Remove duplicative information (that is included in section 6512), including minimum course length, and relocate acceptable course types to proposed Section B instructions. Further clarify course presentations that are not approvable for credit, this is consistent with proposed section 6512(d).</p>
<p>Continuing education courses must be approved by the Department of Pesticide Regulation (DPR) before the course date. To obtain course approval, sponsors must submit the following <b>at least 30 days before the first course date:</b></p>	<p>In-Person continuing education courses must be approved by DPR before the course date. To obtain course approval, sponsors shall submit the following <b>at least 30 days before the first course date:</b></p>	<p>Specify In-Person CE courses for clarity. Grammar corrections made to be consistent with proposed 6512.1 section wording.</p>
<p>1. A Continuing Education Approval Request Application. Applications are available on DPR'S Web site at <a href="http://www.cdpr.ca.gov">www.cdpr.ca.gov</a>; at all county agricultural commissioner offices; or by request from DPR's Licensing and Certification program at (916)603-7792.</p>	<p>1. An In-Person Continuing Education Approval Request Application (LIC-131A).</p>	<p>Reword section for clarity. Remove reference of where applications can be found as this information is unnecessary since an individual would already have obtained the form in some manner. Specify required form by name and form number. This requirement is consistent with proposed 3 CCR section 6512.1(a).</p>
<p>2. A course agenda. See Section G for what is required in each agenda.</p>	<p>2. A comprehensive course agenda. See Section H for additional information.</p>	<p>Reword for clarity. Clarify that course agenda must be comprehensive; this is consistent with proposed 3 CCR section 6512.1(a)(1). Update section letter due to updated letter on page 1.</p>
<p>3. \$45 processing fee. See Section H for fee information.</p>	<p>3. A \$45 processing fee. See Section J for fee information.</p>	<p>Correct grammar and update section letter.</p>



<p>Submit to:</p> <p>Cashier, ATTN: CE Continuing Education  Department of Pesticide Regulation  P.O. Box 1379  Sacramento, CA 95812</p>	<p>Submit complete applications to DPR at the address below. Electronic (E-Mailed or faxed) applications are not accepted.</p> <p>Department of Pesticide Regulation  Attn: Cashier MS-4A  PO Box 1379  Sacramento, CA 95812-4015</p>	<p>Clarify that applications must be complete and sent by mail. Update mailing address.</p>
<p>Sign and date application before submission. You will be notified by DPR if your application is determined to be incomplete or if additional information about the course is needed. Information about approved courses will be posted on DPR's Web site at <a href="http://www.cdpr.ca.gov">www.cdpr.ca.gov</a>.</p>	<p>You will be notified by DPR if your application is determined to be incomplete or if additional information about the course is needed. Information provided in this application about approved courses will be posted on <a href="#">DPR's Web site</a>.</p>	<p>Relocate sign and date instructions on page 2 as the signature block was relocated to section I on page 1. Make text a hyperlink rather than separate for ADA purposes.</p>
<p><b>Section A: Course Description</b></p>		
<p><b>Section A: Course Description.</b> This information is for record keeping and contact purposes and may be posted to DPR's Web site. DPR will send approval status information to the contact person listed on the application.</p>	<p><b>Section A: Course Description.</b> DPR will send course approval status information to the contact person listed on the application. <b>All</b> fields of Section A must be completed. Requests for approval of additional dates or locations for a course with an agenda identical to a previously approved course, within the same calendar year, shall be made on the Continuing Education Additional Course Date Request form (LIC-132, Rev. 07/23) and submitted to DPR at least 15 business days before the presentation of the course.</p>	<p>Remove reference to where information will be posted as it is duplicative of the information directly above section A. Add additional instructions to section A for additional date requests, this information is consistent with proposed 3 CCR section 6512.1(d) and improves the clarity of the instructions.</p>
<p><b>Section B: Course Type</b></p>		

<p><b>Section B: Course Type.</b> This information is for record keeping purposes.</p>	<p><b>Section B: Course Type.</b> Indicate if the course will occur over two or more days and/or have any concurrent sessions (see below). In-person continuing education courses may include formats such as professional or technical meetings, seminars, conferences, demonstrations, and traditional school/college level courses in the context of pesticides or pest management.</p> <p>•<b>Two or More Days:</b> Continuing education courses that occur over two or more days require an In-Person Continuing Education Approval Request Application form (LIC-131A, Rev 07/23), comprehensive agenda, and \$45 fee <b>for each course date.</b></p> <p>•<b>Concurrent Sessions:</b> Concurrent sessions are two separate presentations occurring at the same date and time in different rooms or locations. Continuing education courses that have concurrent presentations must submit an In-Person Continuing Education Approval Request Application form (LIC-131A, Rev. 07/23), comprehensive agenda, and \$45 fee <b>for each presentation that occurs concurrently with another.</b> In addition, courses that include concurrent sessions must include a description of how the course sponsor will track individual attendance.</p>	<p>Relocate acceptable course types to section B and add additional examples, this is consistent with the current introductory paragraph of this form but is more applicable to section B information.</p> <p>Add information about courses with two or more days to clarify requirements of proposed section 6512.1(b).</p> <p>Also, add information about concurrent sessions to clarify requirements of proposed 3 CCR section 6512.1(c).</p>
<p><b>Section C: Course Availability</b></p>		
<p><b>Section C: Course Availability.</b> This information is for record keeping purposes and may be posted to DPR's Web site.</p>	<p><b>Section C: Course Availability.</b> Select the appropriate box(es) to indicate whether the course is open or closed to the public, any applicable fee for course attendance, and languages other than English in which the course will be offered.</p>	<p>Add instructions for open and closed to the public checkboxes, applicable fees, and language checkboxes. These instructions clarify how applicants are to complete the application.</p>
<p><b>Section D: Hours Requested</b></p>		

<p><b>Section D: Hours Requested for Each Category.</b> Indicate the number of hours you are requesting for each CE category. Total number of hours approved <b>must be at least one hour.</b></p>	<p><b>Section D: Hours Requested.</b> Indicate the number of hours you are requesting for each CE category. The total number of hours requested <b>must be:</b></p> <ul style="list-style-type: none"> <li>• <b>A minimum of one hour,</b></li> <li>• <b>No more than eight hours per day, and</b></li> <li>• <b>No more than eight hours per application.</b></li> </ul>	<p>Change section heading to be consistent with page 1. Reword to clarify that this section applies to total hours requested as hours would not have been approved yet when this application is being completed. Clarify minimum and maximum hours allowed per day and per application; this is consistent with proposed 3 CCR sections 6512(c)-(d) and 6512.1(b).</p>
<p><b>Section E: Hours Approved</b></p>		
<p><b>Section E: Hours Approved for Each Category.</b> This section is completed by DPR staff. Approval is based on the information submitted in the application and comprehensive agenda.</p>	<p><b>Section E: Hours Approved.</b> This section is for DPR use only. The number of hours approved is based on the information submitted in the application and comprehensive agenda. Courses will not be approved by DPR for less than one hour and no more than eight hours per day and per application.</p>	<p>Section heading changed to be consistent with page 1. Clarify DPR use only. Specify minimum and maximum hours allowed per day and per application, this is consistent with proposed 3 CCR sections 6512(c)-(d) and 6512.1(b).</p>
<p><b>Section F: Attendance Estimation</b></p>		
	<p><b>Section F: Attendance Estimation.</b> Estimate the number of individuals you anticipate will attend the course.</p>	<p>Add section and directions for Attendance Estimation. Relocated from existing “Target Audience” section for clarity.</p>
<p><b>Section G: Target Audience</b></p>		
<p><b>Section F: Who is the Targeted Audience?</b> Who are you targeting? How many will be in attendance?</p>	<p><b>Section G: Target Audience.</b> Indicate the type(s) of license or certificate holders the course content is directed to.</p>	<p>Update section letter due to addition of section F. Update instructions for clarity. Attendance estimation moved to new section F for clarity.</p>

**Table 9. Continuing Education Approval Request Application form DPR-PML-131 (Rev. 02/15) Page 3, instructions** indicates the original text of, proposed changes to, and justification for the changes to the third page of the document. *Note, to be consistent with the proposed regulations, which separate in-person CE courses and interactive online and webinar courses, this form will be split into two separate forms: In-Person Continuing Education Approval Request Application form (LIC-131A) and Interactive Online and Webinar Continuing Education Approval Request Application form (LIC-131B).*

Continuing Education Approval Request Application form DPR-PML-131 (Rev. 02/15)		
Current Text	Proposed Changes	Justification
<b>Form Title</b>		
	State of California In-Person Continuing Education Approval Request Application LIC-131A (Rev. 07/23) Page 3 of 3	Add page header consistent with previous pages, as page 3 is new.
<b>Section H: Course Agenda</b>		
<b>Section G: Course Agenda.</b> A comprehensive course agenda must include the following: a description of the course, the title of each session, the start and end (or for online and correspondence courses the duration of each session), the CE category requested for each session, and the name and affiliation of each speaker. The instruction must focus on pest management and/or pesticides.	<b>Section H: Course Agenda.</b> Attach a course agenda to this application. A comprehensive course agenda must include the following: a description of the course, the title of each presentation, a time-specific breakdown detailing main points of each presentation, the start and end time for each presentation, the total course length, the CE category(ies) requested for each presentation ('L,' 'A,' or 'O'), and the name and affiliation of each speaker. For approvable course topics see 3 CCR section 6512(b). DPR may request more information about how course content is in the context of pesticides and pest management.	Update section letter due to the addition of section F. Clarify that agenda must be attached to the submitted application. Remove instructions for online courses (which will be located on a new form) and correspondence courses (which will no longer be approvable for CE credit under the proposed regulations). Improve clarity of required agenda information, these agenda requirements are consistent with proposed 3 CCR section 6512.1(a)(1). However, specifying that a time-specific breakdown of the main points has been added to clarify that sponsors should provide a detailed and structured review of each presentation. This ensures that DPR can easily review the content of an application and limit the need for DPR to request additional information. Reference approvable course topics in 3 CCR for clarity and authority to request more information, which is consistent with proposed sections 6512(b) and (e).

<p>Examples of topics in each category include:</p> <p>Pesticide Laws and Regulations 'L': California and federal pesticide laws and regulations pesticide storage, transportation, and disposal; endangered species; ground water protection; pesticide labeling; licensing and certification requirements for pesticide applicators and pest control advisers; and pesticide registration requirements.</p> <p>Aerial Pest Control Equipment and Application Techniques 'A': Characteristics, advantages, disadvantages, selection, use, cleanup, and care of aerial application equipment; application techniques; drift reduction; calibration of liquid and dry systems; dispersal equipment; swath marking; and flight patterns.</p> <p>Other Pesticide or Pest Management Topics 'O': Pest identification; crop ecosystems; pest life histories; economic thresholds; cultural practices; biological control; plant and animal management systems; chemical control; and other components of pest management systems.</p>		<p>Remove CE category topic examples and reference 3 CCR section 6512(b) as they are proposed to be listed in section 6512(b).</p>
<p><b>Section I: Signature Block</b></p>		
	<p><b>Section I: Signature Block.</b> Sign to indicate that the information presented to DPR on this application and any accompanying documents is true and correct.</p>	<p>Add new section letter and declaration to go with applicant signature. This declaration is included on all other DPR application forms and added for consistency in content and formatting. This requirement is consistent with DPR's authority given by FAC section 11792.</p>
<p><b>Section J: Fees</b></p>		

<p><b>Section H: Fees.</b> Enclose a check, money order, or credit card payment (must include original signature on Visa/Master Card Transaction Form, DPR-105, available on DPR's Web site at <a href="http://www.cdpr.ca.gov">www.cdpr.ca.gov</a>) payable to "Cashier, Department of Pesticide Regulation." The processing fee is \$45. The fee covers all additional presentations within the calendar year with the same agenda. <b>Fees are non-transferable and non-refundable. Applications submitted without the \$45 processing fee will be discarded.</b> Mail to: Cashier, Attn: CE, Department of Pesticide Regulation, P.O. Box 1379, Sacramento, CA 95812.</p>	<p><b>Section J: Fees.</b> Enclose a check, money order, or credit card payment payable to "Cashier, Department of Pesticide Regulation." The processing fee is \$45 and covers this application and any additional course dates with an identical agenda provided in the same calendar year. <b>Fees are non-transferable and non-refundable.</b></p>	<p>Update section letter due to the addition of new sections. Update transaction form number to reflect the correct and current form used specifically for processing CE applications. Reference to discarding applications that do not include a fee is removed as DPR contacts sponsors to submit the required payment in these instances. Make text a hyperlink for ADA purposes. Remove mailing address as it is listed earlier in instructions and duplicative to include here. Also, reword for clarity.</p>
<p><b>Section K: Notification Status</b></p>		
<p><b>Section I: Notification Status.</b> This section will be completed by DPR staff, before it is returned to you.</p>	<p><b>Section K: Notification Status.</b> This section is for DPR use only.</p>	<p>Update section letter due to the addition of new sections. Reword to clarify this section is for DPR use only.</p>
<p>For assistance completing this form, please call the Continuing Education Accreditation Program at (916) 603-7792.</p>	<p>For assistance completing this form, please E-Mail or call the Continuing Education Program at: CEmail@cdpr.ca.gov or 916-603-7792.</p>	<p>Update program name to be consistent with other application sections. Add E-Mail, as this is one of the most efficient ways to contact DPR.</p>

**Table 10. Interactive Online and Webinar Continuing Education Approval Request Application form LIC-131B (Rev. 07/23) Page 1** indicates the proposed text and justification for the changes to the first page of the document. *Note, many proposed information sections within this form are intended to be consistent in information and formatting as DPR's In-Person Continuing Education Approval Request Application form (LIC-131A).*

<p><b>Interactive and Online Webinar Continuing Education Approval Request Application form LIC-131B (Rev. 07/23)</b></p>	
<p><b>Proposed Text</b></p>	<p><b>Justification</b></p>
<p><b>Form Title</b></p>	
<p>State of California Interactive Online and Webinar Continuing Education Approval Request Application LIC-131B (Rev. 07/23) Page 1 of 4</p>	<p>Add form title, form number, and page numbers for the application. This format is consistent with other DPR application forms. Form name and date is consistent with proposed 3 CCR section 6512.2.</p>

Department of Pesticide Regulation Continuing Education Program PO Box 1379 Sacramento, California 95812 E-Mail: CEmail@cdpr.ca.gov Web site: www.cdpr.ca.gov/	Add department and program name, contact information, address, email, and website. This format is consistent with other DPR application forms and is to clarify DPR's contact information for applicants.
Course I.D. Code – DPR Use Only Date Received – DPR Use Only	Add fields to include the DPR assigned Course Code and Date an application was received by DPR. Course code is assigned by DPR and used by sponsors to meet the requirements of proposed 3 CCR section 6512.1(e)(3) and existing section 6513(c)(9). Date received is added to meet DPR's required review period (15 business days) as stated in FAC 11502.5(a). This information is also consistent with what is required on the CE form currently in use (i.e., DPR-PML-131).
<b>For complete instructions see pages 3 and 4.</b> Type or print this application in ink. Complete all sections, <b>except</b> section E and L.	Add to clarify instructions are on pages 3 and 4. Clarify which sections need to be completed, as some sections are for DPR use only.
<b>A. Course Description</b>	
<b>A. Course Description.</b> Enter course information. To request additional dates for this specific course, see instructions on page 3.	Add section title and brief instructions, referencing additional instructions on page 3 to improve clarity. The addition of a course description section is also consistent with the CE form currently in use (i.e., DPR-PML-131).
Course Title Course Date Sponsoring Organization or Business Name Start Time End Time Contact Person E-Mail Address Contact Person Address City State ZIP Code Phone Number	Add fields for course description data. This information is collected to input into DPR's CE database, which is used to publish approved CE course information on DPR's website so licensees may inquire to sponsors about taking an approved course. In addition, most of this information is required on the CE form currently in use (i.e., DPR-PML-131). However, "sponsor" has been reworded to clarify that a sponsor can be an organization or business, and "end time" has been added to be consistent with proposed 3 CCR section 6512.2(a)(1)(B)(4).
<b>B. Course Type</b>	
<b>B. Course Type.</b> Check the appropriate box.	Add section title and brief instructions for clarity. The addition of a course type section is also consistent with the CE form currently in use (i.e., DPR-PML-131).
Interactive Online Webinar	Add checkboxes for Interactive Online and Webinar course type options. This is consistent with proposed 3 CCR section 6512.2 course types.
<b>C. Course Availability</b>	
<b>C. Course Availability.</b> Check the appropriate box(es).	Add section title and brief instructions for clarity. The addition of a course availability section is also consistent with the CE form currently in use (i.e., DPR-PML-131).

<p>Open to the Public  Closed to the Public  Attendance Fee \$</p>	<p>Add checkboxes for Open or Closed to the Public course options. Add checkbox and field for Attendance Fee, if required. This information is collected to input into DPR’s CE database, which is used to publish approved CE course information on DPR’s website so licensees may inquire to sponsors about taking an approved course. In addition, some of this information is required on the CE form currently in use (i.e., DPR-PML-131). However, “closed to the public” has been added to clarify the options available for sponsors.</p>
<p>Course Language(s) other than English:  Spanish  Other</p>	<p>Add checkboxes for language if other than English. Add field to specify if Other. This information is collected to input into DPR’s CE database, which is used to publish approved CE course information on DPR’s website so licensees may inquire to sponsors about taking an approved course based on their spoken/written language. In addition, this information is required on the CE form currently in use (i.e., DPR-PML-131).</p>
<p><b>D. Hours Requested</b></p>	
<p><b>D. Hours Requested</b> – One Hour Minimum/8 Hour Maximum (see instructions on page 3)</p>	<p>Add section title. Minimum hour requirement added to clarify requirements of proposed 3 CCR section 6512(c). Maximum hour requirement added to clarify requirements of proposed 3 CCR section 6512.2(a). The addition of the hours requested section is also consistent with the CE form currently in use (i.e., DPR-PML-131). However, the title has been reworded to clarify the minimum and maximum request hour requirements.</p>
<p>Pesticide Laws and Regulations (<b>L</b>)  Hours  Aerial Pest Control Equipment and Application Techniques (<b>A</b>)  Hours  Other (<b>O</b>)  Hours</p>	<p>Add fields to list number of hours requested by the sponsor in each CE category. These CE categories are consistent with proposed 3 CCR section 6512(b). In addition, this information is required on the CE form currently in use (i.e., DPR-PML-131).</p>
<p><b>E. Hours Approved</b></p>	
<p><b>E. Hours Approved</b> – DPR Use Only</p>	<p>Add section title and clarify that this field is for DPR use only.</p>



<p>Hours Hours Hours Total Hours Approved By DPR</p>	<p>Add fields for hours approved by CE category and field for total hours approved. This information is used to communicate to the contact person listed on the application the number and type of hours the CE course has been approved for. Additionally, this information is published on DPR's website so licensees may inquire to sponsors about taking an approved course based on the hour type and quantity they would receive upon completion.</p>
<p><b>F. Attendance Estimation</b></p>	
<p><b>F. Attendance Estimation.</b> Estimate the number of attendees.</p>	<p>Add section and field for Attendance Estimation. This information is collected by DPR in support of the required annual submission to U.S. EPA' Certification Planning and Reporting Database (CPARD); this reporting is required 40 CFR 171.303(c)(1). The addition of attendance estimation is also consistent with the CE form currently in use (i.e., DPR-PML-131). However, it has been revised to be its own section, as previously it was included in the Target Audience section.</p>
<p><b>G. Target Audience</b></p>	
<p><b>G. Target Audience.</b> Check the boxes identifying the type(s) of license and certificate holders this course is directed to.</p>	<p>Add section title and brief instructions. The addition of target audience section is also consistent with the existing information on the CE form currently in use (i.e., DPR-PML-131). However, it has been revised to include instructions and check boxes instead of a requested number of attendees, as this is now collected by Section F. This information is necessary for DPR to determine the number of license/certificate holders attending a course, if it is audited.</p>
<p>Pest Control Advisers Qualified Applicators Aerial Applicators Private Applicators Others</p>	<p>Add checkboxes for license types and field for Others. The target audiences listed are consistent with the existing information on the CE form currently in use (i.e., DPR-PML-131). However, Qualified Applicators are now listed as a single option instead of two options (i.e., License or Certificate). This information is necessary for DPR to determine if there is sufficient CE available for each license/certificate audience.</p>
<p><b>H. Course Syllabus or Agenda</b></p>	

<p><b>H. Course Syllabus or Agenda.</b> Attach the appropriate documentation for your course type. Interactive Online courses must submit a comprehensive course syllabus and Webinar courses must submit a comprehensive course agenda. The syllabus or agenda must include the information detailed under Section H on page 4.</p>	<p>Add section title and instructions, with reference to additional instructions on page 4. The interactive online course syllabus is required per proposed 3 CCR section 6512.2(a)(1)(A). The webinar course agenda is required per proposed 3 CCR section 6512.2(a)(1)(B). The addition of a course agenda section is also consistent with what is required on the CE form currently in use (i.e., DPR-PML-131). However, this section has been revised to specify the syllabus and agenda requirements that are specific to interactive online and webinar courses.</p>
<p><b>I. Course Formatting Acknowledgement</b></p>	
<p><b>I. Course Formatting Acknowledgement.</b> Attach the completed Course Formatting Acknowledgement included on page 2.</p>	<p>Add section title and instructions for clarity. Course acknowledge requirement form is consistent with the requirements of proposed 3 CCR section 6512.2.</p>
<p><b>J. Declaration/Signature Block</b></p>	
<p><b>J. I declare under penalty of perjury, under the laws of the State of California, that the information submitted is true and correct.</b></p>	<p>Add letter and declaration, this declaration is consistent with other DPR application forms. This requirement is consistent with DPR’s authority given by FAC section 11792.</p>
<p>Applicant’s Signature Date Signed</p>	<p>Add fields for signature and date signed.</p>
<p><b>K. Fees</b></p>	
<p><b>K. Fees.</b> The processing fee is \$45 for the calendar year. Additional fee information is on page 4.</p>	<p>Add section title and instructions, with reference to additional instructions on page 4. This fee is required per proposed 3 CCR section 6512.2(a)(1). The addition of the fees section is also consistent with the CE form currently in use (i.e., DPR-PML-131).</p>
<p><b>L. Notification Status</b></p>	
<p><b>L. Notification Status – DPR Use Only.</b></p>	<p>Add section title and clarify that this section is for DPR use only.</p>
<p>Based on the information provided in your Interactive Online and Webinar Continuing Education Approval Request Application, the course <b>did not</b> meet DPR’s approval requirements.</p>	<p>Add checkbox to be used by DPR if course is not approvable for CE credit. This box is used to communicate to the sponsor that a CE course has not been approved (denied) and reasons for the course being denied. DPR’s authority to deny a CE course is stated in proposed 3 CCR section 6512.2(e).</p>
<p>Your Continuing Education Approval Request Application is approved.</p>	<p>Add checkbox to be used if course is approved. This box is used to communicate to the sponsor that a CE course has been approved. DPR has the authority to approve CE courses per proposed 3 CCR section 6512 and FAC section 11502.5.</p>

Reviewer's Signature Date Signed Accounting Use Only	Add fields for reviewer signature and date signed. Add Accounting Use field to record accounting info. Accounting information is for DPR's reference and internal purposes. Signature and date information is for sponsors to direct potential questions on an application to the DPR employee who completed the review and response, as well as for DPR to have record of the reviewing employee.
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**Table 10. Interactive Online and Webinar Continuing Education Approval Request Application form LIC-131B (Rev. 07/23) Page 2, Course Formatting**

**Acknowledgement** indicates the proposed text and justification for the changes to the second page of the document. *Note, many proposed information sections within this form are intended to be consistent in information and formatting as DPR's In-Person Continuing Education Approval Request Application form (LIC-131A).*

<b>Interactive and Online Webinar Continuing Education Approval Request Application form LIC-131B (Rev. 07/23)</b>	
<b>Proposed Text</b>	<b>Justification</b>
<b>Form Title</b>	
State of California Interactive Online and Webinar Continuing Education Approval Request Application Course Formatting Acknowledgement LIC-131B (Rev. 07/23) Page 2 of 4	Add form title, form number, and page numbers for the application. This format is consistent with other DPR application forms. Form name and date is consistent with proposed 3 CCR section 6512.2 and page 1.
<b>Course Formatting:</b> Interactive Online and Webinar courses submitted to DPR for approval must contain the features and attachment(s) detailed on this sheet. All features and attachment(s) must be included to be considered for DPR continuing education course approval. Complete all sections of this form and include it with the Interactive Online and Webinar CE course application. <b>Check the appropriate box(es) and sign and date below to acknowledge that the requirements have been met.</b>	Add instructions for page 2, Course Formatting Acknowledgement. The requirements of the Course Formatting Acknowledgement are consistent with the requirements for Interactive Online and Webinar courses in proposed 3 CCR section 6512.2.
<b>Section 1</b>	
<b>1.</b> DPR has been provided access to the course in the same format that the course will be presented to attendees.	Add requirement proposed in 3 CCR section 6512.2(a)(2).
Web Site Address: Login/Username (if applicable): Password (if applicable):	Add fields for Web site address, login, and password. This information is necessary as it will allow DPR to view the course as it is presented to attendees.
<b>Section 2</b>	
<b>2.</b> The course uses at least one of the DPR approved methods for verifying the identity of attendees. Check the box of the option(s) listed below that will be used to verify course attendance. <b>Must choose at least one option.</b>	Add requirement proposed in 3 CCR section 6512.2(a)(3). Add instructions that applicants must choose one of the options by checking one of the two boxes or use both options, if desired.

<p>A means to visually observe the attendee throughout the duration of the course, such as web cameras or proctored locations. Sponsor Explanation:</p>	<p>Add checkbox for visual observation option specified in proposed 3 CCR section 6512.2(a)(3)(A) and field for explanation. Explanation section will allow applicant to provide explanation required by section 6512.2(a)(3) as there are potentially many different ways in which a sponsor could meet this requirement.</p>
<p>Inclusion of the following verification of fraud statement that attendees are required to agree to prior to starting the course: “Allowing someone other than the person identified as the course attendee to complete this online continuing education course, in order to qualify for Department of Pesticide Regulation approved continuing education hours, constitutes fraud. Committing fraud in connection with meeting any license requirement, including to obtain renewal of any license or certificate issued by the Department of Pesticide Regulation or a County Agricultural Commissioner may result in civil and criminal penalties or license denial, suspension, or revocation. By selecting yes, I verify and attest to the fact that I am the person whose name and license or certificate number appears in course sign-in dialogue box and on the license or certificate. Yes No”</p>	<p>Add checkbox for fraud statement inclusion option specified in section 6512.2(a)(3)(B) for sponsor to indicate this is the option they have selected that meets the requirement of verifying the identity of the attendee and serves as the sponsors explanation as required by proposed in 3 CCR section 6512.2(a)(3).</p>
<p><b>3. Course Features</b></p>	
<p><b>3. Course Features.</b> The course includes the following required features.</p>	<p>Add section title and list requirements that Interactive Online and Webinar courses must meet. Include checkboxes on each item for use as a checklist and for applicants to acknowledge they have met the requirement. This is consistent with proposed 3 CCR section 6512.2(b).</p>
<p>A minimum of three course features per hour for monitoring and ensuring course participation and attendance, such as: random pop-up questions, check boxes, and/or key codes. At least one of these three features must occur at an irregular interval.</p>	<p>Add checkbox for required course feature. Required per proposed 3 CCR section 6512.2(b)(1).</p>
<p>Automatic logout feature if course monitoring features are not responded to in a timely manner by the attendee.</p>	<p>Add checkbox for required course feature. Consistent with the requirements of proposed 3 CCR section 6512.2(b)(1).</p>
<p>Features to prevent an attendee from fast forwarding through any portion of the course or participating in more than one course simultaneously.</p>	<p>Add checkbox for required course feature. Required per proposed 3 CCR section 6512.2(b)(2).</p>
<p>Features for time stamping the course and tracking attendee participation including: when the attendee starts the course, completes the course, and total time spent on the course.</p>	<p>Add checkbox for required course feature. Required per proposed 3 CCR section 6512.2(b)(3).</p>
<p>A username and password used to access the course that is unique to each attendee.</p>	<p>Add checkbox for required course feature. Required per proposed 3 CCR section 6512.2(b)(4).</p>

(Only if applicable) Courses longer than one hour must have a minimum 5-question quiz every hour that meets the requirements listed in 4.	Add checkbox for course feature (only if applicable). Required per proposed 3 CCR section 6512.2(b)(5).
A minimum 10-question final examination meeting the requirements listed in 4.	Add checkbox for required course feature. Required per proposed 3 CCR section 6512.2(b)(6).
<b>4. Quizzes and Examinations</b>	
<b>4. Quizzes and Examinations.</b> Include a complete copy of all quiz and final examination questions with this application.	Add section title and brief instructions. Include checkboxes on each item for use as a checklist. Add requirement proposed in 3 CCR section 6512.2(b)(7).
Questions are directly derived and answerable from content presented during the course.	Add checkbox for required quiz and exam feature. Required per proposed 3 CCR section 6512.2(c)(1).
Questions are in multiple choice formatting with only one correct answer and at least two plausible but incorrect options. Options may not include “all of the above”, “none of the above”, or other all-inclusive response options.	Add checkbox for required quiz and exam feature. Required per proposed 3 CCR section 6512.2(c)(2).
Quizzes and examinations require a minimum passing score of 70% or greater. Interactive online course quizzes must be passed before the attendee is allowed to advance in the course.	Add checkbox for required quiz and exam feature. Required per proposed 3 CCR sections 6512.2(c)(3) and 6512.2(c)(4).
Quizzes and examinations that are available for retest, if the sponsor allows for this, must be presented in different versions than the original.	Add checkbox for required quiz and exam feature. Required per proposed 3 CCR section 6512.2(c)(5).
Applicant’s Signature Date Signed	Add fields for applicant signature and date signed to acknowledge that these requirements have been met by the submitted CE application.

**Table 10. Interactive Online and Webinar Continuing Education Approval Request Application form LIC-131B (Rev. 07/23) Page 3, instructions** indicates the proposed text and justification for the changes to the third page of this form. *Note, many proposed information sections within this form are intended to be consistent in information and formatting as DPR’s In-Person Continuing Education Approval Request Application form (LIC-131A).*

<b>Interactive and Online Webinar Continuing Education Approval Request Application form LIC-131B (Rev. 07/23)</b>	
<b>Proposed Text</b>	<b>Justification</b>
<b>Form Title</b>	
State of California Interactive Online and Webinar Continuing Education Approval Request Instructions LIC-131B (Rev. 07/23) Page 3 of 4	Add form title, form number, and page numbers for the application. This format is consistent with other DPR application forms. Form name and date is consistent with proposed 3 CCR section 6512.2.

<p>The purpose of continuing education is to ensure license and certificate holders: keep their knowledge current in the area of pesticide laws and regulations; provide proper, safe and efficient pesticide use; protect public health, the environment, and property; and encourage safe working conditions for those working with or around pesticides. Courses submitted for Department of Pesticide Regulation (DPR) evaluation and approval must include approvable material as detailed in Title 3, California Code of Regulations (3CCR) Section 6512. Note: Sales presentations, poster and/or vendor displays, professional introductions, registration time, driving time, and breaks will not be approved for continuing education credit.</p>	<p>Define the purpose of CE; this statement is intended to be consistent with the In-Person CE application form LIC-131A. Cite proposed 3 CCR section 6512, as it includes detailed approvable CE course topics and related information. Further clarify course presentations that are not approvable; this is consistent with proposed 6512(d).</p>
<p>Interactive Online and Webinar continuing education courses must be approved by the Department of Pesticide Regulation (DPR) before the course date. To obtain course approval, sponsors shall submit the following <b>at least 60 days before the first course date</b>:</p>	<p>Specify how many days before the first course date that the application must be submitted. The 60-day submission requirement reflects the proposed submission time in 3 CCR section 6512.2(a). The 60-day requirement ensures that DPR has sufficient time to review an Interactive Online and Webinar course, as these courses often include multiple files and attachments. In addition, these courses include several monitoring features and requirements per 3 CCR section 6512.2(b) and (c) that DPR must verify have been met. For these reasons, 60 days to review these materials is necessary.</p>
<ol style="list-style-type: none"> <li>1. An Interactive Online and Webinar Continuing Education Approval Request Application (LIC-131B).</li> <li>2. A course syllabus for Interactive Online courses, <b>or</b> a course agenda for Webinar courses. See <b>Section H</b> for additional information.</li> <li>3. The Course Formatting Acknowledgement. See <b>Section I</b> for additional information.</li> <li>4. A \$45 processing fee. See <b>Section K</b> for fee information.</li> </ol>	<p>List the items needed for approval and which sections have additional information about each item.</p> <ul style="list-style-type: none"> <li>Bullet (1) required per proposed 3 CCR section 6512.2(a)(1).</li> <li>Bullet (2) required per proposed 3 CCR sections 6512.2(a)(1)(A) and 6512.2(a)(1)(B).</li> <li>Bullet (3) requirement is consistent with per proposed 3 CCR section 6512.2(b) and (c).</li> <li>Bullet (4) required per proposed 3 CCR section 6512.2(a)(1).</li> </ul>
<p>Submit complete applications to DPR at the address below. Electronic (E-Mailed or faxed) applications are not accepted.</p> <p>ATTN: CE  Department of Pesticide Regulation  PO Box 1379  Sacramento, California 95812</p>	<p>Specify where applications must be sent by mail. This information is to clarify the proper submission requirements for complete applications.</p>

<p>You will be notified by DPR if your application is determined to be incomplete or if additional information about the course is needed. Information provided in this application about approved courses will be posted on DPR's Web site.</p>	<p>DPR may request additional information on submitted applications per proposed 3 CCR section 6512(e). Some information collected on submitted applications (i.e. course title, sponsor, sponsor contact, CE hours, date, time, public availability, cost) are posted on DPR's website for licensees to find CE courses to take for renewal purposes and how to contact sponsors to take these courses.</p>
<p><b>Section A: Course Description</b></p>	
<p><b>Section A: Course Description.</b> DPR will send course approval status information to the contact person listed on the application. <b>All</b> fields of Section A must be completed. Interactive Online courses that are available continuously should indicate the first date that they will be made available to attendees. Webinar courses requesting approval of additional dates or locations for a course with an agenda identical to a previously approved course, within the same calendar year, shall be made on the Continuing Education Additional Course Date Request form (LIC-132) and submitted to DPR at least 15 business days before the presentation of the course.</p>	<p>Clarify instructions for all fields of Section A. Clarify that additional dates with an identical agenda can be requested using CE Additional Course Date Request form; this is consistent with the requirements in proposed 3 CCR section 6512.1(d) and is currently required by 3 CCR section 6512(c).</p>
<p><b>Section B: Course Type</b></p>	
<p><b>Section B: Course Type.</b> Select the appropriate course type. Interactive Online and Webinar continuing education course formats may include: interactive video lectures, pre-recorded presentations, and broadcasted professional or technical seminars in the context of pesticides or pest management.</p>	<p>Add Interactive Online and Webinar course type option instructions for Section B. This is consistent with proposed 3 CCR section 6512.2 course types.</p>
<p><b>Section C: Course Availability</b></p>	
<p><b>Section C: Course Availability.</b> Select the appropriate box(es) to indicate whether the course is open or closed to the public, any applicable fee for course attendance, and languages other than English in which the course will be offered.</p>	<p>Add instructions for Section C instructing application to specify if course is open or closed to the public, applicable fees, and language in which the course will be offered. This information is collected to input into DPR's CE database, which is used to publish approved CE course information on DPR's website so license holders may find courses and inquire to sponsors about taking an approved course.</p>
<p><b>Section D: Hours Requested</b></p>	
<p><b>Section D: Hours Requested.</b> Indicate the number of hours you are requesting for each CE category. The total number of hours requested <b>must be:</b></p> <ul style="list-style-type: none"> <li>• <b>A minimum of one hour,</b></li> <li>• <b>No more than eight hours per day, and</b></li> <li>• <b>No more than eight hours per application.</b></li> </ul>	<p>Add instructions for Section D. Add minimum hour requirement consistent with proposed 3 CCR section 6512(c). Add maximum hour requirement consistent with proposed 3 CCR section 6512(d). Add maximum application requirement consistent with proposed 3 CCR section 6512.2(a).</p>
<p><b>Section E: Hours Approved</b></p>	

<b>Section E: Hours Approved.</b> This section is for DPR use only. The number of hours approved is based on the information submitted in the application and comprehensive syllabus or agenda. Courses will not be approved by DPR for less than one hour and no more than eight hours of continuing education per day and per application.	Add instructions for Section E. Clarify that this section is for DPR use only. Clarify that DPR's decision is based on the information provided in an agenda or syllabus. Also, restate minimum and maximum hour requirements in 3 CCR sections 6512(c), 6512(d), and 6512.2(a) for clarity.
<b>Section F: Attendance Estimation</b>	
<b>Section F: Attendance Estimation.</b> Estimate the number of individuals you anticipate will attend the course.	Add instructions for Section F and clarify that the field is to estimate the number of individuals the sponsor anticipates will attend the course.
<b>Section G: Target Audience</b>	
<b>Section G: Target Audience.</b> Indicate the type(s) of license or certificate holders the course content is directed to.	Add instructions for Section G.

**Table 10. Interactive Online and Webinar Continuing Education Approval Request Application form LIC-131B (Rev. 07/23) Page 4, instructions** indicates the proposed text and justification for the changes to the fourth page of the form. *Note, many proposed information sections within this form are intended to be consistent in information and formatting as DPR's In-Person Continuing Education Approval Request Application form (LIC-131A).*

<b>Interactive and Online Webinar Continuing Education Approval Request Application form LIC-131B (Rev. 07/23)</b>	
<b>Proposed Text</b>	<b>Justification</b>
<b>Form Title</b>	
State of California Interactive Online and Webinar Continuing Education Approval Request Instructions LIC-131B (Rev. 07/23) Page 4 of 4	Add form title, form number, and page numbers for the application. This format is consistent with other DPR application forms. Form name and date is consistent with proposed 3 CCR section 6512.2.
<b>Section H: Course Syllabus or Agenda</b>	
<b>Section H: Course Syllabus or Agenda.</b>	Section H section title.
<ul style="list-style-type: none"> <li>• <b>Interactive Online courses:</b> Attach a course syllabus to this application. A comprehensive course syllabus must include the following: a description and detailed outline of the course including the learning objectives of the course, the amount of time allocated to each learning objective, and the CE category(ies) requested for each learning objective ('L,' 'A,' or 'O').</li> </ul>	List syllabus requirements for Interactive Online courses. This is required per proposed 3 CCR section 6512.2(a)(1)(A).



<p>• <b>Webinar courses:</b> Attach a course agenda to this application. A comprehensive course agenda must include the following: a description of the course, the title of each presentation, a time-specific breakdown detailing main points of each presentation, the start and end time for each presentation, the CE category(ies) requested for each presentation ('L,' 'A,' or 'O'), and the name and affiliation of each speaker.</p>	<p>List agenda requirements for Webinar courses. This is required per proposed 3 CCR section 6512.2(a)(1)(B). Specifying that a time-specific breakdown of the main points has been added to clarify that sponsors should provide a detailed and structured review of each presentation. This ensures that DPR can easily review the content of an application and limit the need for DPR to request additional information.</p>
<p>For approvable course topics see 3CCR section 6512(b). DPR may request more information about how course content is in the context of pesticides and pest management.</p>	<p>For clarity and applicant reference, cite regulation that details where approvable CE course topics can be found. Requesting more information statement added to clarify DPR's authority on this, as stated in 3 CCR section 6512(e).</p>
<p><b>Section I: Course Formatting Acknowledgement</b></p>	
<p><b>Section I: Course Formatting Acknowledgement.</b> Complete the Course Formatting Acknowledgement checklist on page 2 and submit with the rest of your application. All list items must be present and complete as specified.</p>	<p>Add instructions for Section I. Information required by the Course Formatting Acknowledgement is consistent with the requirements in proposed 3 CCR section 6512.2.</p>
<p><b>Section J: Signature Block</b></p>	
<p><b>Section J: Signature Block.</b> Sign here to indicate that the information presented to DPR on this application and any accompanying documents is true and correct.</p>	<p>Add instructions for Section J. This is consistent with other DPR application forms and with DPR's authority given by FAC section 11792.</p>
<p><b>Section K: Fees</b></p>	
<p><b>Section K: Fees.</b> Enclose a check, money order, or credit card payment payable to "Cashier, Department of Pesticide Regulation." The processing fee is \$45 and covers this application and any additional course dates with an identical agenda provided in the same calendar year. <b>Fees are non-transferable and non-refundable.</b></p>	<p>Add instructions for Section K. Specify acceptable payment types, payment, and payment amount for clarity. The fee is required per 3 CCR section 6512.2(a)(1).</p>
<p><b>Section L: Notification Status</b></p>	
<p><b>Section L: Notification Status.</b> This section is for DPR use only.</p>	<p>Clarify that this section is for DPR use only.</p>
<p>For assistance completing this form, please E-Mail or call the Continuing Education Program at: CEmail@cdpr.ca.gov or 916-603-7792.</p>	<p>Add statement with contact information for applicant to contact the CE program if applicants need assistance.</p>

**Table 11. Continuing Education Additional Course Date Request form DPR-PML-132 (Rev. 02/15) Page 1** indicates the original text proposed changes, and justification for the changes to the fourth page of this form.

<b>Continuing Education Additional Course Date Request form DPR-PML-132 (Rev. 02/15)</b>		
<b>Current Text</b>	<b>Proposed Changes</b>	<b>Justification</b>
<b>Form Title</b>		
<b>CONTINUING EDUCATION ADDITIONAL COURSE DATE REQUEST</b> DPR-PML-132 (REV. 02/15)	<b>Continuing Education Additional Course Date Request</b> LIC-132 (Rev. 07/23)	Update form number due to department reorganization and update revision date based on effective date of proposed regulations.
DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH CONTINUING EDUCATION PROGRAM P.O. BOX 1379 SACRAMENTO, CALIFORNIA 95812 916-324-4250 E-mail: CEMail@cdpr.ca.gov Web site: www.cdpr.ca.gov/	Department of Pesticide Regulation Continuing Education Program PO Box 1379 Sacramento, California 95812 E-Mail: CEMail@cdpr.ca.gov Web site: www.cdpr.ca.gov/	Remove ‘Pest Management and Licensing Branch’ due to department reorganization. Remove phone number as e-mail is preferred method of contact for DPR.
<b>NOTE: To add a course date(s) to a previously approved continuing education course, fill out this request and submit it to DPR at least 15 business days before the course date. There is no fee, provided that the agenda is identical and the additional course date(s) occurs in the same calendar year.</b>	<b>Note: To add a course date(s) to a currently approved continuing education course, fill out this request and submit it to DPR at least 15 business days before the course date. There is no fee, provided that the agenda is identical and the additional course date(s) occurs in the same calendar year.</b>	Clarify that the course must be currently approved as “previously approved” could include courses that were approved in the past, but are no longer approved.
<b>Type or print this form in ink. Complete all sections above the line. The course I.D. code can be found on your original application form.</b>	<b>Type or print this form in ink. The course I.D. code can be found on your original application form. All sections of this form must be completed to be considered for approval. E-Mail this form to: CEMail@cdpr.ca.gov.</b>	Reword instructions to improve clarity as “above the line” was confusing to applicants because there is not a distinctive line on the form. Add directions to E-Mail the completed form, as these submission directions differ from the application instructions for the initial CE application forms (LIC-131A and LIC-131B).
<b>Additional Course Information</b>		
<b>Additional course location address(es)</b>	<b>Additional Course Location Address(es)</b> <b>Include: Address, City, State, and ZIP Code</b>	Clarify the type of information that is required.

<b>Additional course dates</b>	<b>Additional Course Date(s)</b>	Add parenthesis to specify that one or more courses may be added to improve clarity.
<b>Course language other than English (optional)</b>	<b>Course Language Other Than English</b>	Other language must be specified and is not optional. "Optional" has been removed to allow DPR to more accurately post on DPR's website the language CE courses are presented in, which allows attendees to choose a course that best fits their needs. This change is consistent with section C of forms LIC-131A and LIC-131B.
	<b>Specific Course Date Contact Person</b>	Add column for specific course date contact, this information clarifies who license holders can contact for each course date and is necessary for DPR to list the available course dates on DPR's website.
	Spanish Other	Add checkboxes on each line to specify Spanish and Other in the "Course Language Other Than English" column to clarify the language of the course. This is consistent with section C of forms LIC-131A and LIC-131B.
Course contact person	Course Sponsor:	Change to course sponsor, as a new box for course contact person has been added to specify for each additional date. Additionally, listing the course sponsor will ensure DPR is able to verify the course sponsor listed for additional dates is consistent with the original and approved CE application, as each CE application should only have one sponsor.
Telephone number	Phone Number:	Reword for consistency with CE applications.
Fax Number	E-Mail Address:	Change to E-Mail address as that is the most efficient contact method for DPR.
<b>DPR Use Only</b>		
	<b>DPR Use Only</b>	Specify that this section is for DPR use only.

**Table 12. Private Applicator Certificate Application form PR-PML-045 (Rev. 12/04)**

**Page 1** indicates the original text, proposed changes, and justification for the changes to the first page of the form.

Private Applicator Certificate Application form PR-PML-045 (Rev. 12/04)		
Current Text	Proposed Changes	Justification
<b>Form Title</b>		
PRIVATE APPLICATOR CERTIFICATE APPLICATION PR- PML-045 (REV. 12/04)	Private Applicator Certificate Application LIC-045 (Rev. 07/23) Page 1 of 2	Update form number due to department reorganization and update revision date based on effective date of proposed regulations. Page number added due to addition of instructions page.
DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND LICENSING BRANCH LICENSING AND CERTIFICATION PROGRAM 1001 I STREET SACRAMENTO, CALIFORNIA 95814-2828 (916) 445-4038 FAX (916) 445-4033 Web site: <a href="http://www.cdpr.ca.gov">http://www.cdpr.ca.gov</a>	Department of Pesticide Regulation Licensing and Certification Program Web site: <a href="http://www.cdpr.ca.gov">http://www.cdpr.ca.gov</a>	Remove ‘Pest Management and Licensing Branch’ due to department reorganization. Remove address since these applications are not to be returned to DPR, but to the applicant’s county. Remove phone number, as the applicant’s county should be contacted for the submission of this application.
<b>NOTE: If you have any questions concerning this application, please contact your local county agricultural commissioner’s office for assistance.</b>	<b>For complete instructions, see page 2. If you have any questions concerning this application, please contact your local county agricultural commissioner’s office. Turn this application into your local county agricultural commissioner’s office.</b>	Add note to see instructions to make applicant aware that instructions are located on page 2. Add statement to clarify that this application is to be returned to the applicant’s county to clarify submission requirements.
<b>A. Application Type</b>		
	<b>A. Application Type.</b> Check the appropriate box(es).	Add section header for application type to improve clarity, as there are now multiple application types, and match added directions on page 2.

NEW APPLICANT	New Applicant (Practical Knowledge Exam)	Clarify that new applicants take a practical knowledge exam. This is to help distinguish this exam from the proposed optional burrowing vertebrate pest fumigation exam. The Practical Knowledge exam requirement is consistent with proposed 3 CCR section 6580.1(a).
	Add Burrowing Vertebrate Pest Fumigation Exam	Add checkbox for Burrowing Vertebrate Pest Fumigation exam. Proposed 3 CCR section 6580.1(b) will require applicants to pass an additional exam if they wish to conduct fumigation activities for the control of burrowing vertebrate pest. This checkbox will allow applicants to select this option to take this exam if applicable.
	Renew Burrowing Vertebrate Pest Fumigation Certificate	Add checkbox for renewal of the Burrowing Vertebrate Pest Fumigation certificate. This will assist the counties during the renewal process by helping determine which recertification exam is to be administered to these individuals (i.e., a single recertification examination that covers the practical knowledge certification or a single examination that covers both the practical knowledge and burrowing vertebrate pest certifications). This is consistent with proposed 3 CCR section 6582(a)(2).
<b>B. Applicant Information</b>		
<i>Note, much of section B has been reorganized for clarity, however most content has remained the same.</i>		
<b>A. Applicant Information.</b> RELATIONSHIP TO AGRICULTURAL PRODUCTION OPERATION OR HOUSEHOLDER'S PROPERTY.	<b>B. Applicant Information.</b> Relationship to agricultural production operation. (Check appropriate box)	Update section letter to B due to the proposed addition of A. Remove "householder's property" for consistency with DPR's proposal to remove householders from the "private applicator" definition in 3 CCR 6000.

HOME TELEPHONE NUMBER	Cell or Home Phone Number	Add Cell Phone Number (relocated from previous field) to Home Phone field, allowing applicants to provide either cell OR home numbers instead of both. The number of home landlines is trending down and some applicants no longer have a home phone number or prefer to be contacted by cell phone.
	Date of Birth (mm/dd/yyyy)	Add field for date of birth with specified format to verify age eligibility of applicants. This is consistent with proposed 3 CCR section 6580.1(c).
WORK TELEPHONE NUMBER	Work Phone Number	Update “telephone” to “phone” for consistency with other application forms.
	E-Mail Address	Add field for E-Mail Address as this is the best way for DPR or CACs to contact applicants.
APPLICANT MAILING ADDRESS (Number and Street)	Applicant Mailing Address (Number and Street or PO Box)	Add PO Box as it is an acceptable mailing address.
<b>C. Continuing Education Information</b>		
<b>B. Continuing Education Information.</b> Each course must be a minimum of one hour in length. Attach the certificate of completion or other approved documentation as proof of attendance for each course.	<b>C. Continuing Education Information.</b> Attach the certificate of completion for each course.	Update section letter to C due to the addition of A. Simplify directions for clarity as complete instructions are proposed on page 2.
COURSE/SEMINAR/CONFERENCE TITLE(S) I.D. CODE NUMBER	Course Title DPR Course I.D. Code	Update table headers for consistency with wording related to DPR’s CE program in proposed 3 CCR sections 6511-6513.
<b>D. Declaration</b>		
<b>C. I declare under penalty of perjury, under the laws of the State of California, that the information above is true and correct.</b>	<b>D. I declare under penalty of perjury, under the laws of the State of California, that the information submitted is true and correct.</b>	Update section letter to D due to the addition of A. Reword for consistency with other application forms and to clarify that the information submitted (including attachments, if applicable) is true and correct.
FOR OFFICIAL CERTIFICATE NUMBER CERTIFICATE ISSUANCE DATE	For Official Use Only **Certificate Number	Clarify this section is for official use only. Add “**” to link this item to the note. Remove certificate issuance date, as this is stated on the certificate issued to an individual and logged in DPR’s internal database and not needed here.

CAC TELEPHONE NUMBER	CAC Phone Number	Shorten telephone number to phone number, to be consistent throughout application.
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**Table 12. Private Applicator Certificate Application form PR-PML-045 (Rev. 12/04)**  
**Page 2, instructions** indicates the proposed text and justification for the changes to the second page of this form.

<b>Private Applicator Certificate Application form PR-PML-045 (Rev. 12/04)</b>	
<b>Proposed Text</b>	<b>Justification</b>
<b>Form Title</b>	
State of California Private Applicator Certificate Application LIC-045 (Rev. 07/23) Page 2 of 2	Add form title to be consistent with page 1.
<b>Failure to complete or provide the requested information may delay the processing of your application.</b>	Add statement for consistency with other application form instructions and to ensure applicant is aware that incomplete information may delay the process.
DPR will only disclose personally identifiable information, such as home phone number and personal email address, to third parties as required by state or federal law or regulation and consistent with the Information Practices Act (Civ. Code, sections 1798-1798.78).	Added to clarify to applicants how personal information included on an application will be used.
<b>A. Application Type</b>	
<b>A. Application Type:</b>	Add section header for application type.
<ul style="list-style-type: none"> <li>• <b>New Applicant (Practical Knowledge Exam):</b> Individuals who are applying for the Private Applicator Certificate for the first time shall take this examination. An applicant for a private applicator examination shall be at least 18 years old and present at the time of examination valid, government-issued photo identification as proof of identity and age. The name included on the submitted application shall match the name stated on the valid government-issued documentation submitted.</li> </ul>	Add instructions for the New Applicant option on page 1. These instructions are consistent with proposed 3 CCR section 6580.1(c).
<ul style="list-style-type: none"> <li>• <b>Add Burrowing Vertebrate Pest Fumigation Exam:</b> Individuals who use or supervise the use of a pesticide listed in Title 3, California Code of Regulations (3CCR) Section 6400 that are labeled as a fumigant to control burrowing vertebrate pests shall take this examination.</li> </ul>	Add instructions for the Add Burrowing Vertebrate Pest Fumigation exam option on page 1. These instructions are consistent with proposed 3 CCR section 6580.1(b).

<p>• <b>Renewal:</b> Enter your current Private Applicator Certificate number and attach certificates of completion for each course attended (if applicable). You may choose to recertify by passing the appropriate recertification exam(s). Renewal requests shall be submitted to the county agricultural commissioner no sooner than 120 days prior to, and no later than 90 days after, the expiration date of your certification.</p>	<p>Add instructions for the Renewal option on page 1. This clarifies the renewal process. Private applicators may recertify through written exam or by completing the required amount of continuing education per existing section 6582(a)(2). The requirement to submit a private applicator certificate renewal request within a certain time prior to the expiration of a certificate is in existing 3 CCR section 6582(a); instructions are being added for clarity.</p>
<p><b>B. Applicant Information</b></p>	
<p><b>B. Applicant Information:</b> Indicate your relationship to agricultural production operation. Enter the name of the operator or business, a cell or home phone number, and work phone number. Enter your name (name used shall match the submitted valid government-issued documentation), date of birth, E-Mail address, and complete mailing address.</p>	<p>Add instructions for the Application Information section on page 1. Instructions include a list of the information that must be provided and is consistent with the information on page 1. Name use shall match the valid government-issued documentation, as some individuals chose to abbreviate their names on applications. This clarification is to ensure consistency in identity verification and certificate issuance.</p>
<p><b>C. Continuing Education Information</b></p>	
<p><b>C. Continuing Education Information:</b> Enter the course title, DPR course identification code, date(s) of attendance, and the number of continuing education hours received for each course attended. Attach a copy of your CE completion certificate(s). Keep your original certificate(s) for a minimum of three years from the date of course completion.</p>	<p>Add instructions for the Continuing Education Information section on page 1, including instructions for private applicators to keep certificate(s) for a minimum of three years; which is consistent with proposed amendments to 3 CCR section 6513(b).</p>
<p><b>D. Declaration/Signature Block</b></p>	
<p><b>D. Declaration / Signature Block:</b> Sign here to indicate that all of the information submitted is true and correct.</p>	<p>Add instructions for the Declaration and Signature Block section on page 1 and to be consistent with other DPR application forms.</p>
<p><b>Turn this application into your local county agricultural commissioner's office. If you have any questions about this application or the Private Applicator Certificate, please contact your local county agricultural commissioner's office.</b></p>	<p>Add statements to clarify that this application and any questions should be directed to the applicant's local county agricultural commissioner's office who process these applications and administer the exams for applicants.</p>

EFFECTIVE DATE

DPR is proposing an effective date of January 1, 2024 in order to allow license and certificate holders and CE sponsors additional time to prepare and come into compliance with the requirements of the proposed regulatory action. In addition, this date coincides with DPR's commercial applicator calendar renewal cycle (i.e., January 1 – December 31; on a two-year cycle). Coinciding the effective date with DPR's commercial applicator renewal cycle is intended to best ensure applicators remain in compliance by meeting revised regulatory requirements by the renewal of their licensure.



## COLLABORATION WITH OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT (OEHHA) PURSUANT TO FAC SECTIONS 12980 AND 12981

As discussed above, 3 CCR sections 6724, 6731, and 6742 are regulations relating to pesticide worker safety. Therefore, DPR and OEHHA jointly and mutually developed the proposed regulations as specified in FAC sections 12980 and 12981. DPR and OEHHA have set forth the rulemaking process used to meet these statutory requirements in a Memorandum of Agreement dated August 13, 2008.

## CONSULTATION WITH OTHER AGENCIES

DPR consulted with the California Department of Public Health as well as the California Structural Pest Control Board.

DPR consulted with the California Department of Food and Agriculture during the development of the text of the proposed regulations, as specified in FAC section 11454 and the Memorandum of Understanding updated on January 15, 2019, that was developed per FAC section 11454.2.

DPR consulted with the University of California and the Department of Industrial Relations.

DPR has also consulted with the several county agricultural commissioners and the Agricultural Pest Control Advisory Committee.

## ALTERNATIVES TO THE PROPOSED REGULATORY ACTION [GOVERNMENT CODE SECTION 11346.2(b)(4)]

DPR has not identified any feasible alternatives to the proposed regulatory action that would achieve the purpose of the regulation with less possible adverse economic impacts, including any impacts on small businesses, and invites the submission of suggested alternatives. The proposed regulations will bring California certification and training regulations into alignment with the recently revised regulations in 40 CFR Part 171 that were noticed in the Federal Register Vol. 82, No. 2 on Wednesday, January 4, 2017.

## ECONOMIC IMPACT ON BUSINESSES [GOVERNMENT CODE SECTION 11346.2(b)(5)(A)]

The proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposed regulations are designed to bring California certification and training regulations into alignment with the revised regulations in 40 CFR Part 171. However, in some areas, DPR's proposed regulations are more restrictive than 40 CFR Part 171, or will require a higher standard to be met.

The adoption of these regulations will require certain applicants to apply for and obtain an additional license/certificate category, which would require additional application fees, studying, traveling, examination time, and CE hours. In addition, sponsors of certain CE courses may be

required to modify their current practices by having to reserve venues an additional day or obtaining computer software to meet the proposed requirements. Commercial and private applicators who use soil and non-soil fumigants, commercial applicators who hold existing subcategories, private applicators who hold a certificate and perform ‘householder’ activities, and CE course sponsors (including those who host correspondence style courses, courses which exceed 8 hours, and courses which require attendance verification) may be impacted by the proposed regulations.

In the short-term, estimated initial costs to individuals and businesses are as follows: the initial cost per individual is \$594 and the initial cost per small or typical business ranges from \$45 to \$1,800. Furthermore, the annual cost per individual ranges from \$438 to \$594, and the annual cost per small or typical business ranges from \$33 to \$1,534. In the long-term, based on data from the Impact Analysis for Planning (IMPLAN) software database, individuals and businesses are anticipated to incur an initial and annual cost of approximately \$3; this reflects the impact on California’s economy at large (Asci & Konduru, 2021). Over the 10-year lifetime of these regulations, an impact of \$12.6 million is estimated.

The document relied upon to make this determination is the “Economic Impact Analysis for California Rulemaking Pertaining to the Certification and Training of Pesticide Applicators.” This document is listed in the “Documents Relied Upon” section of this ISOR and is available from DPR.

#### ECONOMIC IMPACT ASSESSMENT PURSUANT TO SECTION 11346.3(b)

Creation or Elimination of Jobs within the State of California: DPR has determined that the proposed action may eliminate jobs in California. IMPLAN software was used to analyze the impact on jobs. The IMPLAN analysis predicts the direct economic impact to affected individuals, businesses, and industries, as well as indirect and induced impacts, through the use of industry-specific multipliers and other factors, faced by California’s economy at large. The main industries impacted by these regulations are: other educational services (includes CE services), fruit farming (includes applicators), support activities for agriculture (includes pest control businesses), nut farming (includes applicators), and vegetable farming (includes applicators). The analysis determined that 15 jobs will be lost as a result of the direct impact of the proposed regulatory action to pesticide applicators and educational sponsors (Asci & Konduru, 2021).

Creation of New Businesses or the Elimination of Existing Businesses within the State of California: DPR has determined that this proposed regulatory action is unlikely to result in the creation of new businesses or the elimination of existing businesses because the proposed regulations are designed to align with the recently revised federal certification and training regulations.

The Expansion of Businesses Currently Doing Business within the State of California: DPR has determined that the proposed regulatory action is unlikely to result in the expansion of businesses currently doing business within California because the proposed regulations are designed to align with the recently revised federal certification and training regulations.

The Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment: Adopting these regulations will benefit certified applicators, pest control businesses, dealers, advisers, and noncertified applicators handling restricted materials as well as the public and environment. For example, noncertified applicators will receive improved training on how to handle restricted materials and on the safe use of any equipment used for handling or applying pesticides, and all certified applicators will meet revised minimum competency standards, where applicable. These changes will reduce improper applications and accidental exposure or poisonings. Better trained applicators (certified or noncertified) will be better able to understand and follow pesticide use requirements, ensuring that applications are made properly and follow requirements of pesticide product labeling, California laws and regulations, and any restricted material permit conditions.

IDENTIFICATION OF ANY SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECT THAT CAN REASONABLY BE EXPECTED TO OCCUR FROM IMPLEMENTING THE PROPOSAL

The Secretary of Resources determined that DPR's pesticide regulatory program, including the adoption, amendment, and repeal of pesticide regulations, qualifies as a certified regulatory program under Public Resources Code section 21080.5 and Title 14, California Code of Regulations (14 CCR) section 15251(i). This determination means DPR's pesticide regulatory program is functionally equivalent to California Environmental Quality Act's (CEQA) requirements for preparing environmental impact reports (EIRs), negative declarations, and initial studies, and is therefore exempt from such requirements. This initial statement of reasons serves as the public report required under 3 CCR section 6110 and satisfies the requirements of DPR's CEQA certified regulatory program for rulemakings at 3 CCR sections 6110-6116.

DPR's public report, as the substitute document satisfying CEQA functional equivalency requirements, must include a description of the proposed activity, and either (A) alternatives to the activity and mitigation measures to avoid or reduce any significant effects that the project might have on the environment, or (B) a statement that DPR's review of the project showed that the project would not have any significant effects on the environment and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. (14 CCR 15252; 3 CCR § 6110.) DPR shall not adopt a regulation that would cause a significant adverse environmental impact if there is a feasible alternative or mitigation measure that would substantially lessen those significant adverse environmental impacts. (3 CCR § 6116.)

In 2017, U.S. EPA revised 40 CFR Part 171 to enhance protections for individuals using or supervising the use of RUPs. The revisions are intended to further reduce the potential harmful effects caused to pesticide applicators, the public, and the environment from the use of RUPs by increasing the standards commercial and private applicators must initially and continually meet to be certified to handle or apply RUPs. DPR is the State Lead Agency for programs that certify pesticide applicators using RUPs within California. Under FIFRA section 11, DPR must ensure that all California state programs and associated regulations detailing the certification of

pesticide applicators meet or exceed the federal regulations established by U.S. EPA in 40 CFR Part 171. All of the proposed regulatory changes are intended to make 3 CCR regulations consistent with, or more restrictive than, the federal regulations concerning the certification of pesticide applicators using restricted materials, including RUPs.

This proposal would adopt 3 CCR sections 6509, 6512.1, 6512.2, 6512.3, 6512.4, 6580.1, 6580.2, 6624.5, and 6731; amend sections 6000, 6302, 6404, 6406, 6414, 6428, 6430, 6500, 6502, 6504, 6508, 6510, 6511, 6512, 6513, 6522, 6530, 6531, 6540, 6562, 6564, 6568, 6580, 6582, 6584, 6612, 6622, 6624, 6724, and 6742; and repeal sections 6445.5, 6534, 6536, and 6560. This proposal will align California's regulations with federal regulations relating to competency standards for certified applicators using California restricted materials, recertification, categories for certified applicators, protections for noncertified applicators using restricted materials, and the minimum age requirement for certified and noncertified applicators using restricted materials under the direct supervision of a certified applicator. This proposal would not have any significant adverse environmental effects. Specifically, DPR considered the following potential environmental effects: Human Health; Flora (Plants); Fauna (Fish & Wildlife); Water; and Air. This proposal would have a potential benefit on human health and the environment by requiring additional requirements for handling restricted materials.

The proposed changes will maintain or exceed the minimum level of certification standards required by federal regulations. These proposed changes will help reduce improper applications and accidental exposure or poisonings. Better trained applicators will be better able to understand and follow pesticide use requirements, ensuring that applications are made legally and follow requirements of pesticide product labeling, California laws and regulations, and any restricted material permit conditions.

Absent this proposal, certified applicators would not be required to meet the elevated standards described above, for using RUPs in a safe and effective manner. Against this environmental and regulatory baseline, no possible significant adverse effect to California's environment can reasonably be expected to occur from implementing the proposed regulations. Therefore, the proposed regulation is categorically exempt from environmental review under 14 CCR section 15061(b)(3). Because no significant adverse effect to California's environment can reasonably be expected to occur from implementing the proposed regulation, no alternatives or mitigation measures are proposed to lessen any significant adverse effects on the environment.

#### EFFORTS TO AVOID UNNECESSARY DUPLICATION WITH FEDERAL REGULATIONS

The proposed regulatory action does not duplicate or conflict with the Code of Federal Regulations. Although there are some similarities in the regulatory requirements, California and DPR maintain a separate regulatory structure from the Federal standards. As such, what duplication may occur with the Federal regulations is unavoidable, but necessary to allow California to have a fully operational and independent certification and training program of pesticide applicators.

## DOCUMENTS RELIED UPON

1. Asci, D. S., & Konduru, D. S. (2021). Economic Impact Analysis for California Rulemaking Pertaining to the Certification and Training of Pesticide Applicators.
2. Environmental Protection Agency. (2017, January 4). *Federal Register / Vol. 82, No. 2; Pesticides; Certification of Pesticide Applicators (40 CFR Part 171)*. Federal Register. Retrieved September 23, 2021, from <https://www.federalregister.gov/documents/2017/01/04/2016-30332/pesticides-certification-of-pesticide-applicators>.
3. Oregon Department of Agriculture. (n.d.). *Continuing Education Accreditation Form*. Oregon Department of Agriculture. Retrieved September 23, 2021, from <https://www.oregon.gov/oda/shared/Documents/Publications/PesticidesPARC/RecertificationSponsorRequestForm.pdf>.
4. Oregon Department of Agriculture. (n.d.). *Additional Instructions for Distance and Online Learning Recertification Courses*. Oregon Department of Agriculture. Retrieved September 23, 2021, from <https://www.oregon.gov/oda/shared/Documents/Publications/PesticidesPARC/PesticidesDistanceLearningInstructions.pdf>.
5. U.S. Bureau of Labor Statistics. (2019). *Average Hours Employed People Spent Working on Days Worked by Day of Week (2019)*. U.S. Bureau of Labor Statistics. Retrieved September 23, 2021, from <https://www.bls.gov/charts/american-time-use/emp-by-ftpt-job-edu-h.htm>.
6. U.S. Environmental Protection Agency. (2016, December 7). *Economic Analysis of Final Amendment to 40 CFR Part 171: Certification of Pesticide Applicators*. Retrieved September 23, 2021, from <https://downloads.regulations.gov/EPA-HQ-OPP-2011-0183-0807/content.pdf>.
7. Washington State Department of Agriculture. (n.d.). *Sponsoring a Webinar Course*. Webinar | Washington State Department of Agriculture. Retrieved September 23, 2021, from <https://agr.wa.gov/services/licenses-permits-and-certificates/pesticide-license-and-recertification/recertification/sponsoring-a-course/webinar>.
8. Washington State Department of Agriculture. (n.d.). *Request for Recertification Course Accreditation*. Washington State Department of Agriculture. Retrieved September 23, 2021, from <https://cms.agr.wa.gov/WSDAKentico/Documents/Forms/4286-CourseAccreditationRecertification.pdf>.
9. Certification and Training Assessment Group. (2010, December). *Pesticide Applicator Recertification: Online Training - Course Design and Structure*. <https://ctagroup.us/wp-content/uploads/Recert-Online-Design-Final-12-2010.pdf>. Retrieved November 16, 2021, from <https://ctagroup.us/wp-content/uploads/Recert-Online-Design-Final-12-2010.pdf>.
10. Agricultural Pest Control Advisory Committee Meeting Minutes. Dated March 14, 2018.
11. Department of Pesticide Regulation. (2022). Summary of Proposed California-Specific Certification & Training Requirements.