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## PRESS RELEASE

### NNEPA Announces New Plan for Pesticide Applicators

Window Rock, AZ - On June 13, 2007, United States Environmental Protection Agency (USEPA) published a notice in the Federal Register announcing its final decision to further protect human health and the environment by implementing a federal program to certify applicators of Restricted Use Pesticides (RUPs) in Navajo Indian Country. Currently, there is no USEPA approved pesticide certification plan in effect for Navajo Indian Country, nor are there agreements between the Navajo Nation and surrounding states to provide adequate access to certification services for applicators of RUPs.

The Federal Plan will primarily rely on the authority contained in 40 C.F.R. §171.11(e) as the basis for the federal certification that will be operative in Navajo Indian Country. This section allows USEPA to issue certificates based upon the pesticide applicator first meeting the requirements for certification issued under any other federal or USEPA-approved state or tribal program. A major aspect of the Federal Plan is the issuance of a federal certificate-based reciprocity, i.e., issuing a certificate to those RUP applicators that already possess a valid certificate from a state or tribe administering a USEPA-approved certification plan.

Applicators intending to purchase and/or apply RUPs in Navajo Indian Country will have until October 11, 2007, to become certified by USEPA. After that date, applicators must hold the appropriate USEPA certification to purchase and/or apply RUPs in Navajo Indian Country. Failure to hold the appropriate certification after October 11, 2007, may result in federal enforcement action in accordance with section 12(a)(2)(F) of the Federal Insecticide Fungicide and Rodenticide Act (FIFRA).

An RUP is a pesticide that may generally cause, without additional regulatory restrictions, unreasonable adverse effects to human health and the environment. The additional regulatory restriction is a requirement for purchasers and users of the product to be certified as competent, or to apply the product under the supervision of a certified applicator.

Navajo Indian Country applicators must complete EPA Form 8500-17-N and submit it to EPA Region 9. The form and instructions are available at:

<http://www.epa.gov/oppfead1/safety/applicators/applicators.htm>

The Pesticide Program can conduct a more in depth presentation on the Federal Plan. If you have any questions or would like a presentation, please contact Ms. Glenna Lee, Pesticide Program Supervisor at 928-871-7815.