

Table Summarizing Proposed Changes – Please refer to the proposed regulation for more detail

Title 3 CCR Section	Summary of Proposed Change	Justification
6000. Definitions.	(b) - Adds “Manned or Unmanned” to Journeyman Pest Control Aircraft Pilot’s Certificate	Clarity to specific individuals
	(f) Adds An individual 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.	Clarity to specific individuals
	Adds “Tribe” means 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.	Aligns with Federal Regulation
	Adds “Tribal land” has the same meaning as the term “Indian country” as defined in Title 40 Code of Federal Regulations Part 171 section 171.3 (July 1, 2019).	Aligns with Federal Regulation
40 CFR 171.103 – Standards for Certification of Commercial Applicators		
6504. Examinations.	(b)(3) – Adds existing requirement for apprentice pilots to pass a written examination that includes specific information concerning their aerial activities in addition to the currently required laws and regulations examination.	Aligns with State and Federal Regulation
6582. Certificate Renewal.	(c) – Add All private applicator certificates issued prior to January 1, 2024 will be invalid on their expiration date and shall not be eligible for renewal. (1) Individuals who seek to continue conducting pest control activities as a private applicator must take and pass the initial private applicator certificate examination, in accordance with section 6580.1(a). (Examinations).	Provides California specific approach
40 CFR 171.107 – Standards for Recertification of Certified Applicators		

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6512. Approval Continuing Education Courses.	Deletes all language in section and replaces with specifics for each category such as Laws & Regulations, Aerial Application, etc.	Provides the detail currently in 3 CCR
6512.2 Interactive Online and Webinar Continuing Education Course.	Most changes are specific to course sponsor. Adds severe punishment for attendees allowing someone else to complete the course. Includes interactive components to verify attendee is actively participating.	Aligns with State Regulation.
6513. Records of Continuing Education Courses.	(d) – Adds language about sponsoring organization shall submit, at a minimum, the information to the Department within 14 days after the completion of the course for each license and certificate holder. The information shall be submitted over the Internet using the Department's online Web site (www.cdpr.ca.gov) or via an electronic data file transfer process. (e) – Adds records submitted to county agricultural commissioners upon request.	New requirement for DPR to track the continuing education for all licensees and certificate holders.
40 CFR 171.101 – Commercial Applicator Certification Categories		
6530. Categories.	(d) Category D - Agricultural Pest Control (plant) (C) – Adds Non-crop agricultural lands with Non-crop agricultural lands which will not in the foreseeable future be used to grow food, feed, or fiber crops, or to pasture animals; this includes but is not limited to: wildlands, farm roads and shoulders, ditches, and on-farm equipment yards. (2) This category does not include applications to running or standing water, other than rice and similar crops grown in wet or flooded fields, or the use of any pesticide labeled as a fumigant.	Provides California specific categories
40 CFR 171.201 – Requirements for Direct Supervision of Noncertified Applicators by Certified Applicator		

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6540. Apprentice Pilot Supervision.	(b) – Add The journeyman pilot shall ensure a means for the apprentice pilot to immediately communicate with the journeyman pilot. This may be in person by voice, two-way radio, cell phone, video conference or other similar means of direct communication. Text messaging, email, voicemail and other means of indirect communication do not meet this requirement.	DPR added examples of communication
6612. Age.	Adds - Handling of restricted materials to existing prohibitions for minors under 18 and clarifies types of closed systems currently in regulation. Ensures age requirement applies to all appropriate situations in California.	Note: 40 CFR provides an 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 in California and the minimum age of 18 is consistent with other proposed requirements pertaining to admission to examinations and handling activities – per DPR.
6724. Handler Training.	Adds – Details on identification and handling of restricted materials.	Complies with Federal Regulations with intent to protect all California employees.
6731. Employee Communication.	Adds - Except as provided for in section 6540, the employer shall ensure a means for the employee to immediately communicate with the certified applicator supervising the employee using a California restricted material specified in section 6400 pursuant to section 6406. This communication may be in person or by voice, two-way radio, cell phone, video conference or other similar means of direct communication. Text messaging, e-mail, voicemail, and other means of indirect communication do not meet the requirement for this standard.	DPR added examples of communication

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6742. Safe Equipment.	Adds – Employer instruction to employees prior to initial use and annually. Employer assures equipment can be used without risk of reasonably foreseeable adverse effects to the employee, other persons, or the environment.	Complies with Federal Regulations.
40 CFR 171.303 – Requirements for State Certification Plans		
6624. Pesticide Use Records.	Changes “Hour” to “Date and Time” for application and time treatment ended.	California specific conditions and requirements.
6624.5. Commercial Applicator Restricted Material Use Records.	Adds – Address of the person for whom the restricted material was used and certified applicator’s name and license number in addition to name of noncertified applicators and physical address where records are kept for each noncertified applicator.	Complies with Federal Regulations with California specific requirements.