



## GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

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### DEPARTMENT OF PLANNING AND NATURAL RESOURCES

No. 45 Estate Mars Hill, Frederiksted  
St. Croix, Virgin Islands 00840

Office of the Commissioner

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## **PUBLIC NOTICE**

NOTICE OF THE DEPARTMENT OF PLANNING AND NATURAL RESOURCES INTENT TO MAKE REVISIONS TO THE RULES AND REGULATIONS FOR THE VIRGIN ISLANDS OF THE UNITED STATES PURSUANT TO THE PESTICIDE CONTROL ACT, TITLE 12, CHAPTER 19, SECTIONS 803(C)(5) AND 832 OF THE VIRGIN ISLANDS CODE).

**DATE OF NOTICE: JULY 1, 2021**

**DATE OF PUBLIC HEARING: JULY 29, 2021, 6:00 PM**

#### **DESCRIPTION OF NOTICE:**

Sections (803)(c)(5) and 832 of the Pesticide Control Act (PCA), 12 V.I.C. § 801 e. seq (2009), authorizes the Commissioner United States Virgin Islands Department of Planning and Natural Resources (DPNR) to develop rules and regulations to carry out the provisions of the PCA. DPNR has developed the rules and regulations, and today, it gives notice of its intent to propose revisions to the existing regulations, and additionally, to solicit comments on this intent.

In January 2017, the United States Environmental Protection Agency published in the Federal Register (82 Fed Reg 952) revised regulation concerning the certification and training of applicators of restricted use pesticides (RUPs). The revised regulation was promulgated to ensure federal certification program standards adequately protect applicators, the public, and the environment from risks associated with use of RUPs.

The DPNR is tasked with protecting the environment and human health under federal and local laws. DPNR is therefore proposing to amend the rules and regulations for the Virgin Islands of the United States pursuant to the PCA to address and incorporate into its regulations the new federal requirements for certification and training of pesticide applicators. DPNR is also proposing to revise its regulations to be at least as stringent as the federal pesticide regulations for certification and training of pesticide applicators. Additionally, DPNR took the opportunity to revise other aspects of its pesticide regulations in order to strengthen certain provisions and more closely follow the federal pesticide law, Federal Insecticide Rodenticide & Fungicide Act (FIFRA).

## **DISCUSSION OF THE PROPOSED REVISIONS:**

Following the publication of this notice in a daily or weekly major local newspaper of general circulation, DPNR will hold a hearing on July 29, 2021, from 6:00 to 8:00 pm on the proposed revisions to the Pesticide Control Act Rules and Regulations. Due to the COVID-19 pandemic, the hearing will be held virtually via Microsoft Teams.

A hyperlink for accessing the hearing is provided below along with the call-in number and access code as follows: <https://bit.ly/3qxwd3N>; call-in number: 1-786-605-4468; call-in number access code: 191 600 583#

All interested persons will be afforded an opportunity to be heard about the proposed revisions to the Pesticide Control Act Rules and Regulations. DPNR might need to limit the time allowed to each person to speak based on the number of people interested in speaking during the hearing. DPNR encourages pre-registration to speak during the virtual public hearing by contacting the designated contact person below.

DPNR will also accept written comments. To submit written comments, send your comments to THE DESIGNATED CONTACT PERSON BELOW BY REGULAR MAIL OR ELECTRONIC MAIL AT THE ADDRESSES BELOW.

ANY WRITTEN COMMENTS WILL BE ACCEPTED starting July 15, 2021. COMMENTS SUBMITTED BY REGULAR MAIL SHALL BE POSTMARKED NO LATER THAN the deadline of August 30, 2021.

The proposed amendments to the Pesticide Control Act Rules and Regulations and related documents are available for public inspection, by appointment only, at the DPNR offices on St. Thomas and St. Croix. A copy of the proposed revisions of the rules and regulations and related documents is also available on the DPNR website at <https://dpr.vi.gov/environmental-protection/pesticides-control-program/> and at the Charles W. Turnbull Regional Library in St Thomas. To make arrangements to examine the documents contact:

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## **DPNR's RESPONSE TO COMMENTS:**

DPNR will prepare a written response to any oral comments made during the virtual public meeting held on July 29, 2021, as well as any written comments, RECEIVED BY ELECTRONIC MAIL OR REGULAR MAIL, submitted during the public comment period from July 15, 2021, to August 30, 2021.

DPNR will take all comments into consideration in making final edits to the proposed revised regulations and DPNR will submit the final proposed revisions of the Rules and Regulations to the appropriate government entities, in accordance with 3 V.I.C. Chapter 35.