

# Proposed Agricultural Worker Protection Standard Change

The EPA is proposing changes to the Worker protection Standards. Please take a look at the following which is provided by EPA through their web site. Overall, the rule will take more time to comply with including requiring annual training of all employees.

Rich Bonanno, UMass Extension

**Details on website:**<http://www.epa.gov/oppfead1/safety/workers/proposed/>

**\*\*DISCLAIMER:** This is a reformatted version of the above website. Please check the website for any updates.

\*\*FYI: Este Web page está disponible en español

## Comment period closes August 18, 2014!

On February 20, 2014, the Environmental Protection Agency announced proposed changes to the agricultural Worker Protection Standard (WPS) to increase protections from pesticide exposure for the nation's 2 million agricultural workers and their families. This is an important milestone for the farm workers who plant, tend, and harvest the food that we put on our tables each day.

EPA is seeking input on the proposed changes and rationale in the [Notice of Proposed Rulemaking, which published in the Federal Register on March 19, 2014](#). Comments must be received on or before **August 18, 2014**. Comments must be submitted to <http://www.regulations.gov> identified by docket number [EPA-HQ-OPP-2011-0184](#). Your comments will help EPA determine the final version of this regulation.

Proposed changes to the Agricultural Worker Protection Standard (WPS) include:

- Increased frequency of mandatory trainings (from once every five years to annually) to inform farm workers about the protections they are afforded under the law, including restrictions on entering pesticide-treated fields and surrounding areas, decontamination supplies, access to information and use of personal protective equipment. Expanded trainings will include instructions to reduce take-home exposure from pesticides on work clothing and other safety topics.
- Expanded mandatory posting of no-entry signs for the most hazardous pesticides; the signs prohibit entry into pesticide-treated fields until residues decline to a safe level.
- First time-ever minimum age requirement: Children under 16 will be prohibited from handling pesticides, with an exemption for family farms.
- No-entry buffer areas surrounding pesticide-treated fields will protect workers and others from exposure from pesticide overspray and fumes.
- Measures to improve the states' ability to enforce compliance including requiring employers to keep records of application-specific pesticide information as well as farmworker training and early-entry notification for 2 years.
- Personal Protection Equipment (respirator use) must be consistent with the Occupational Safety & Health Administration standards for ensuring respirators are providing protection, including fit test, medical evaluation, and training.
- Make available to farm workers or their advocates (including medical personnel) information specific to the pesticide application, including the pesticide label and Safety Data Sheets.
- Continues the exemptions for family farms.

**Questions for Your Consideration on Major Areas of Change**

Given the length of the proposal we want to make it easier for you to locate specific sections that you are interested in and comment on them.

The major sections of the proposal are identified below and follow the format in the Federal Register notice. Under each section, we have posed specific questions that we are seeking your input on:

- [Training for Workers and Handlers](#) (p.15459)
- [Notifications to Workers and Handlers](#) (p.15472)
- [Hazard Communication](#) (p.15476)
- [Information Exchange between Handler Employers and Agricultural Employers](#) (p.15482)
- [Handler Restrictions \(Minimum Age for Handlers\)](#) (p.15483)
- [Restrictions for Worker Entry into Treated Areas](#) (p.15484)
- [Display of Basic Pesticide Safety Information](#) (p.15490)
- [Decontamination and Emergency Assistance](#)(p.15492 and p.15494)
- [Personal Protective Equipment](#) (p.15496)
- [Monitoring Handler Exposure to Cholinesterase Inhibiting Pesticides](#) (p.15500)
- [Exemptions and Exceptions](#) (p.15502)
- [General Revisions to the WPS and Implementation of this Proposal](#) (p.15507)

### **Tips for preparing comments**

We invite you to share your views with us on the proposed changes. Your thoughts on these proposed changes are very important! Your comments will help guide our final decision-making.

First, read about the major areas of change below under "[Questions for Your Consideration on Major Areas of Change](#)". Then open the [Notice of Proposed Rulemaking](#) for full explanations of the changes, our rationale for the proposals, and discussions of alternative considered. Finally, using the tips below, submit your comments.

### **When submitting comments, remember to:**

Identify the document you're discussing (ex. NPRM or Economic Analysis) by the docket number (EPA-HQ-OPP-2011-0184) and other identifying information like the subject heading (ex. Handler Restrictions), Federal Register date (March 19, 2014) and page number.

In some places in the proposal we ask you to respond to specific questions and to organize comments by referencing the Code of Federal Regulations (CFR) part and section number (ex. 40 CFR part 170.111)

Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

Present any data or information that should be considered by EPA during the development of the final rule.

Provide specific examples to illustrate your concerns and suggest alternatives.

Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

Describe any assumptions and provide any technical information and/or data that you used.

If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

Commenters are reminded that the submission of data derived from human research should include information concerning the ethical conduct of such research, in compliance with the requirements at 40 CFR 26.1303.

Make sure to submit your comments by the date specified in the Federal Register notice expected to publish within 10 days.

### **Overall, please provide input on the:**

- need for a change, value of any changes, and any alternatives to the proposed changes.
- studies and scientific articles used as the basis of this proposed rule.
- clarity of the proposed revisions.
- ability to effectively enforce the proposed regulation.
- economic analysis of the proposed rule, including its underlying assumptions, economic data, high- and low-cost options and alternatives, and benefits.

**Comments may be submitted by one of the following methods:**

Submit your comments, identified by docket identification (ID) number EPA-HQ-OPP-2011-0184, by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- Mail: OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), Mail code: 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460. In addition, please mail a copy of your comments on the information collection provisions to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: Desk Officer for EPA, 725 17th St., NW, Washington, DC 20503.

Hand Delivery: To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.