USEPA WORKER PROTECTION STANDARD REVISIONS

Department of Pesticide Regulation

2016

USEPA CHANGES WORKER PROTECTION STANDARD

- Scope:
  - Agricultural workers
  - Pesticide handlers
  - Pesticides for the production of agricultural commodity

WORKER PROTECTION STANDARD TIMELINE

1970 1980 1990 2000 2010 2020

1974
First WPS passed

1992
WPS Revised

1995
Revised WPS implemented

2004 and 2005
WPS Amended

11/2/2015
Published in the Federal Register

1/2/2017
Most new rules go into effect

1/2/2018
A few requirements delayed until 2018

2015 USEPA-REVISIONS

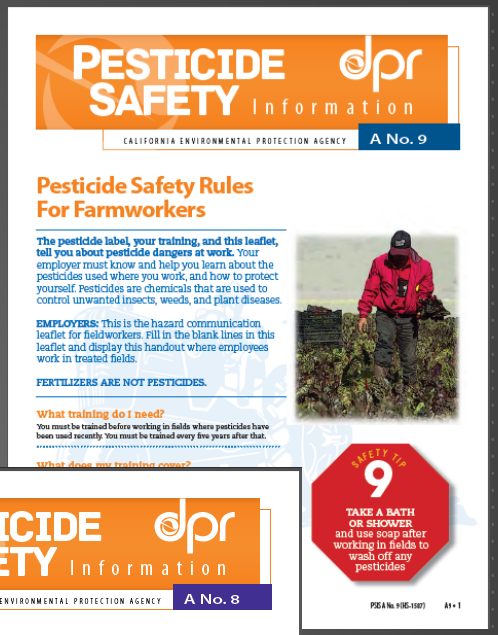
- Further reduce occupational pesticide exposure
- Reduce incidents or illness among agricultural workers and pesticide handlers

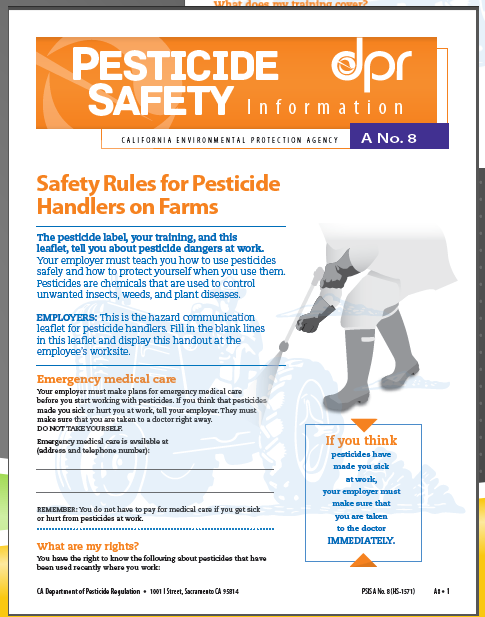
Summary of Illness/Injury Incidents
Reported in California as Potentially Related to Pesticide Exposure
Summarized Statewide and by County of Occurrence[1]
2013

Relationship[2]	TOTAL CASES	Type of Exposure[3]				Intended Use[4]	
		Direct Contact	Drift	Residue	Other/ Unknown	Agricultural	Non-Agricultural
TOTALS							
Definite	95	58	13	3	21	11	84
Probable	650	149	252	105	144	266	381
Possible	383	24	109	106	144	158	220
Unlikely	53	3	3	19	28	7	46
Indirect	11	0	0	11	0	0	11
Asymptomatic	139	8	29	13	89	120	19
Unrelated	129	-	-	-	-	-	-
Insufficient	22	-	-	-	-	-	-
Unavailable	236	-	-	-	-	-	-
OVERALL	**1718**	**242**	**406**	**257**	**426**	**562**	**761**

CHANGES TO THE WPS-2017

- Pesticide Safety Training for Fieldworkers and Handlers
- Notification
- Hazard Communication
- Drift Related Requirements
- Minimum age Requirements
- Display of the Pesticide Safety Information
- Emergency Decontamination Facilities
- Use of Personal Protective Equipment
- Exemptions


PESTICIDE SAFETY Information
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY A No. 9
Pesticide Safety Rules For Farmworkers
The pesticide label, your training, and this leaflet, tell you about pesticide dangers at work. Your employer must know and help you learn about the pesticides used where you work, and how to protect yourself. Pesticides are chemicals that are used to control unwanted insects, weeds, and plant diseases.
EMPLOYERS: This is the hazard communication leaflet for fieldworkers. Fill in the blank lines in this leaflet and display this handout where employees work in treated fields.
FERTILIZERS ARE NOT PESTICIDES.
What training do I need?
You must be trained before working in fields where pesticides have been used recently. You must be trained every five years after that.
What does my training cover?
SAFETY TIP 9
TAKE A BATH OR SHOWER and use soap after working in fields to wash off any pesticides

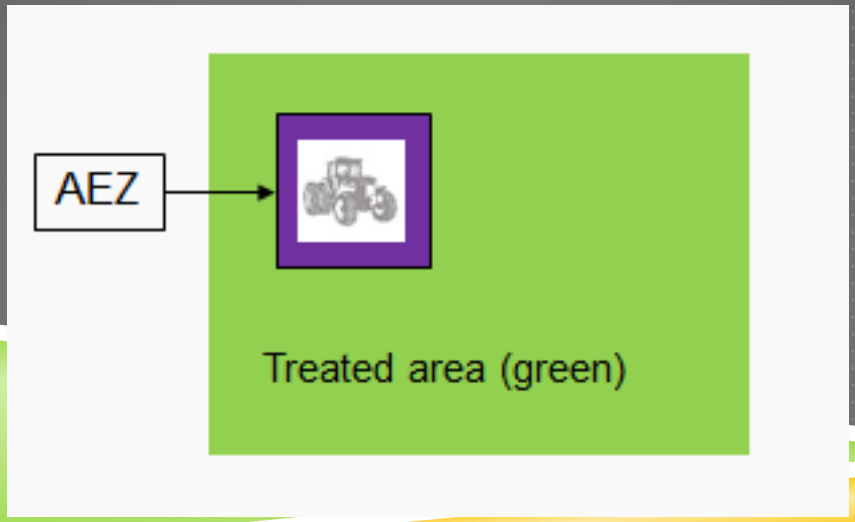

PESTICIDE SAFETY Information
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY A No. 8
Safety Rules for Pesticide Handlers on Farms
The pesticide label, your training, and this leaflet, tell you about pesticide dangers at work. Your employer must teach you how to use pesticides safely and how to protect yourself when you use them. Pesticides are chemicals that are used to control unwanted insects, weeds, and plant diseases.
EMPLOYERS: This is the hazard communication leaflet for pesticide handlers. Fill in the blank lines in this leaflet and display this handout at the employee's worksite.
Emergency medical care
Your employer must make plans for emergency medical care before you start working with pesticides. If you think that pesticides made you sick or hurt you at work, tell your employer. They must make sure that you are taken to a doctor right away.
DO NOT TAKE YOURSELF.
Emergency medical care is available at (address and telephone number):
REMEMBER: You do not have to pay for medical care if you get sick or hurt from pesticides at work.
What are my rights?
You have the right to know the following about pesticides that have been used recently where you work:
If you think pesticides have made you sick at work, your employer must make sure that you are taken to the doctor IMMEDIATELY.

2017 USEPA-REVISIONS ADD DEFINITIONS –CCR 6000

- Application Exclusion Zone (AEZ)
- Enclosed Space
- Worker Housing Area

APPLICATION EXCLUSION ZONE (AEZ) CCR 6000

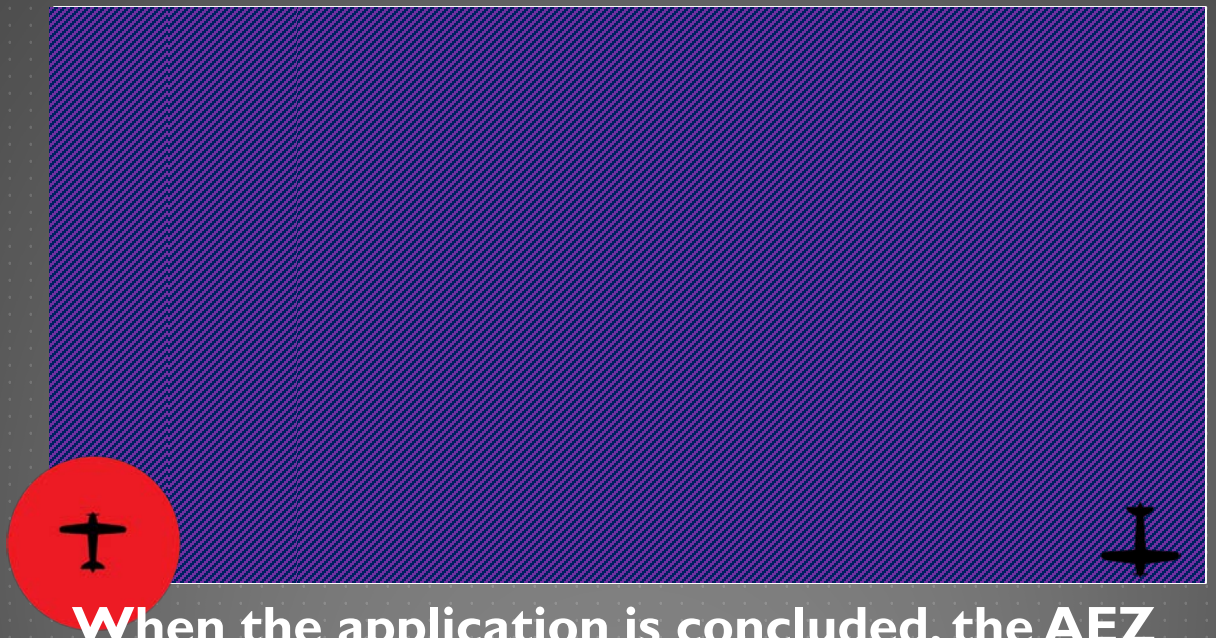
- As used in section 6762, the area surrounding the application equipment that must be free of all persons other than appropriately trained and equipped handlers during pesticide applications.



FIELD WORK DURING PESTICIDE APPLICATION CCR 6762

- Outdoor pesticide application exclusion zone (AEZ)
  - 100 feet horizontally from the application equipment in all directions –aerial, air blast, fine spray, fumigant, smoke, mist or fog
  - 25 feet horizontally from the application equipment in all directions – using a method other than described above and at a spray height greater than 12 inches from the soil or planting medium using at least a medium spray

Application Exclusion Zone in Outdoor Production



When the application is concluded, the AEZ no longer exists.

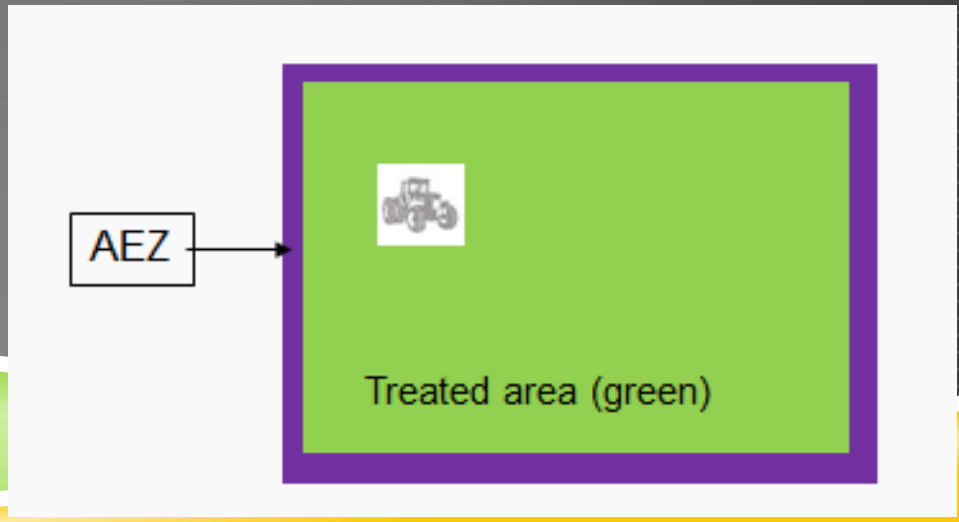
Field

AEZ

Treated Area

ENCLOSED SPACE
CCR 6000

- A space enclosed, entirely or in part, with a nonporous covering of sufficient size to permit entry, and is used in the commercial or research production of an agricultural plant commodity. This includes greenhouses, polyhouses, mushroom houses, hoop houses, and similar structures.



EXAMPLES

FIELD WORK DURING PESTICIDE APPLICATION CCR 6762

- Enclosed space pesticide application exclusion zone (AEZ)
  - Entire enclosed space - for space treatment, fumigant, smoke, fog, aerosol, or mist
  - Entire enclosed space – fine spray until the ventilation criteria has been met
  - Treatment site plus 25 feet in all directions spray greater than a height of 12 inches from soil or as a spray of medium or larger droplets
  - The American Society of Agricultural and Biological Engineers (ASABE) S572.1 or comparable standard may be used to measure and interpret spray droplet size

DROPLET SIZE AND RELATION TO AEZ

PESTICIDESTEWARDSHIP.ORG

100 foot AEZ

25 foot AEZ

Color Codes for Droplet Size

Category	Symbol	Color Code	Approximate VMD Range
Very Fine	VF	Red	< 150
Fine	F	Orange	150 – 250
Medium	M	Yellow	250 – 350
Coarse	C	Blue	350 – 450
Very Coarse	VC	Green	450 – 550
Extremely Coarse	XC	White	> 550

NC Cooperative Extension

Empowering People • Providing Solutions

WORKER HOUSING AREA 3CCR 6000

- Any place or area of land on or near an agricultural establishment where housing or space for housing is provided for workers or handlers by an agricultural employer, owner, labor contractor, or any other person responsible for the recruitment or employment of agricultural workers.

2017 USEPA-REVISIONS
CHANGE DEFINITIONS
CCR 6000

- Enclosed Cab
  - Removed the section on meeting the requirements in American Society of Agricultural Engineers Standard S-525 and added "*prevents dermal contact with pesticides being applied outside of the cab*"

CHANGE DEFINITIONS -2017 CCR 6000

- Field
  - Removed greenhouse and added "*enclosed space*"

2017 USEPA-REVISIONS

DELETE DEFINITIONS

CCR 6000

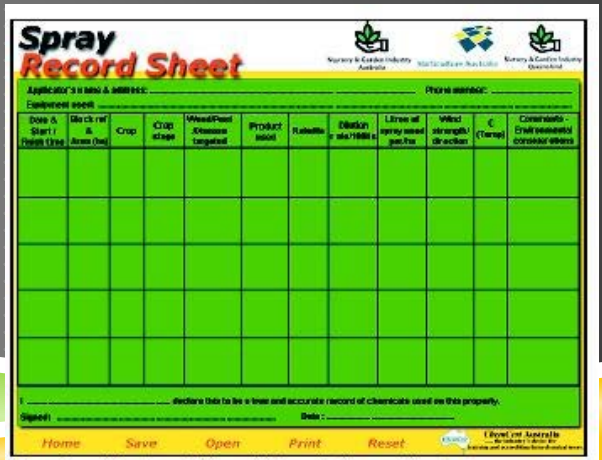
- Enclosed cab acceptable for respirator protection
- Greenhouse

NOTICE OF APPLICATIONS CCR 6618

- Each person performing pest control shall assure that the operator of the property to be treated receives
  - Notice of the date(s), start time(s), and estimated end time(s) of application.
  - Instructions not to enter the field to be treated and its application exclusion zone (AEZ) pursuant to section 6762

NOTICE OF COMPLETED APPLICATIONS CCR 6619

- Each person performing pest control shall assure that the operator of the property treated receives:
  - Notice of the date(s), start time(s), and end time(s) of application.
- Operator of the property treated must maintain a written record of this information



Spray Record Sheet – multiple pesticide application recording format.

MINIMUM AGE REQUIREMENTS CCR 6722

- No employees under 18 years of age can:
  - Handle pesticides used in the commercial or research production of an agricultural commodity
  - Enter a field under a restricted entry interval (REI)

HAZARD COMMUNICATION AND EMERGENCY MEDICAL CARE FOR PESTICIDE HANDLERS (CCR 6723) AND FIELDWORKERS (CCR 6761)

- Location of the A-8 and A-9 must be at:
  - All permanent decontamination facilities AND
  - Decontamination facilities servicing 11 or more handlers
  - A-9 At a central location if the field-workers meet there prior to traveling to the worksite
- Any changes to the emergency medical care must be updated on the A-8 or A-9 within 24 hours of the change

HAZARD COMMUNICATION FOR PESTICIDE HANDLERS (CCR 6723) AND FIELD-WORKERS (CCR 6761)

- Currently an employee can have a representative request certain information on their behalf:
  - Pesticide use records for:
    - pesticides handled or
    - for field workers for pesticide [illegible] they worked in
  - SDS (Safety Data Sheets)

HAZARD COMMUNICATION FOR PESTICIDE HANDLERS CCR 6723 AND FIELD-WORKERS CCR 6761

- *Procedure*
- Request from an employee representative must be in writing and contain the following:
  - Name of employee
  - Specific information requested
  - Signed statement designating representative
  - Where info should be sent

APPLICATION SPECIFIC INFORMATION FOR HANDLERS CCR 6723.1 AND FIELD WORKERS CCR 6761.1

- Must have crop or site treated
- Dates/times the applications started and ended
- Copy of the SDS for the pesticides applied
- Information must be retained for 2 years

HANDLER TRAINING
CCR 6724

- Training shall be in a location reasonably free from distraction
- Trainer must be present throughout training
- Training Records must include:
  - Date; Employee's Printed Name, Signature and Title
  - Source of Training Materials Used
  - Employer's name
  - Trainer's Name and qualification

EMERGENCY MEDICAL CARE REQUIREMENTS

CCR 6726 PESTICIDE HANDLERS AND CCR 6766 FIELDWORKERS

- Require that employer provide the following information to medical personnel treating an employee for a suspected pesticide exposure:
  - Product name
  - Active ingredient
  - US EPA Registration Number
  - SDS
  - Circumstances of application or use and circumstances that could've resulted in exposure

CHANGE AREA
CCR 6732

- Have soap, water, single use towels, emergency eye flushing>>>enough to wash the entire body
- At least 3 gallons of water per handler at the beginning of the work day
- Sanitizing gels, liquids, and moist towelettes do not meet the requirement for soap and single use towels

HANDLER DECONTAMINATION CCR 6734

- **At least 3 gallons per handler at the beginning of the handler work day**
- **Hand sanitizing gels, liquids or wet towelettes do not meet the requirements for soap and single-use towels**
- **Employees must be notified of the decontamination location prior to handling**

CCR 6734
HANDLER DECONTAMINATION

- At mix/load site if eye protection is required by the label *or a closed mixing system is used*–
  - Immediate employee access to a system capable of delivering 0.4 gpm for at least 15 minutes or at least 6 gallons of water in a container suitable for providing a gentle eye flush for 15 minutes

FIELDWORKER DECONTAMINATION FACILITIES CCR 6768

- One gallon of water per employee at the start of the work day**
  - Of a quality and temperature that will not cause illness or injury when it contacts the skin, eyes, or is swallowed

FIELDWORKER DECONTAMINATION FACILITIES CCR 6768

- All decontamination supplies must be reasonably accessible and located together for washing hands, face, and emergency eye flushing
  - *Clarifies that even if you have all items at the work site they can't be in three different locations*
- **Hand sanitizing gels, liquids or wet towelettes do not meet the requirements for soap and single-use towels**
- **Employees must be notified of the decontamination location prior to handling**

SELECTION OF GLOVES CCR 6738.3

- Chemical Resistant gloves must be in an enclosed chemical resistant container when stored in the cockpit of an aircraft that has been used to apply pesticides.

PPE EXEMPTIONS CCR 6738.4

- A filtering facepiece respirator (NIOSH TC-84C) or dust/mist filtering respirator that is required by the label:
  - Is not required if in an enclosed cab with properly functioning and maintained ventilation system is used (per manufacturer's written operating instructions)

PPE EXEMPTIONS
CCR 6738.4

- Any other type of respirator required by the label
  - Must be worn in an enclosed cab
- NO MORE ENCLOSED CABS ACCEPTABLE TO SUBSTITUTE FOR RESPIRATORY PROTECTION

PPE EXEMPTIONS
CCR 6738.4

- When occupying an enclosed aircraft cockpit, work clothing may be worn instead of regulatory or label required personal protective equipment.

EQUIPMENT MAINTENANCE CCR 6744

- If the equipment is to be cleaned, serviced or repaired by someone other than the owner or operator of the equipment, they are required to be given the following information:
  - May be contaminated with pesticides
  - Precautions to be taken
  - Personal hygiene practices & decontamination

FIELDWORKER TRAINING
CCR 6764

- Every 12 months (previously every 5 years)
- Delete the "Blue" USEPA Training Cards
- Training shall be in a location reasonably free from distraction
- Trainer must be present throughout training

FIELDWORKER TRAINING CCR 6764

- Training Records now required to be kept every year
- Training Records must include:
  - Date, employee's printed name, signature and title
  - Source of Training Materials Used
  - Employer's name
  - Trainer's name and qualification
- Training records shall be retained by the employer for 2 years at a central location, at the work place, accessible to employees
- Copy given to employee on request

REQUIREMENTS FOR EARLY ENTRY EMPLOYEES-CCR 6771

- Employee has to be notified orally of the location of the early entry area where work activities are to be performed
- Pesticides applied
- Dates and times that the Restricted Entry Interval (REI) begins and ends
- Location of the pesticide safety information series A-8 and A-9

REQUIREMENTS FOR EARLY ENTRY EMPLOYEES-CCR 6771

- Three gallons of water per early entry employee**
  - **This water shall be stored separate from water being used for mixing with pesticides unless the tank is equipped with appropriate valves to prevent backflow from pesticides
- The employer shall assure that one clean pair of coveralls is available for employees engaged in early entry handling tasks or no-contact activities

FIELD POSTINGS-OUTDOOR SPACES CCR 6776

- Any application with REI greater than 48 hours (previously 7 days)
- *Exception*
  - Unless access to the treated field is controlled in a manner that assures that no employee, other than a handler, will enter, work in, remain in, or walk within a 1/4 mile during the application and REI.

Sulfur REI=3 days

FIELD POSTINGS-OUTDOOR SPACES CCR 6776

- Signs shall be posted so that they are visible at all usual points of entry to the treated area including each border with any worker housing area within a 100 feet of the treated field.

FIELD POSTINGS-OUTDOOR SPACES CCR 6776

Not New But Remember…

- Before application (not longer than 24 hrs before)
- Must be removed with 3 days after the end of the REI
- CAN'T JUST LEAVE THEM UP ALL SEASON

FIELD POSTINGS-ENCLOSED SPACES CCR 6776

- Applications with a REI of greater than 4 hours need to be posted if employees enter, work in, remain in, or walk within a 1/4 mile during the application and REI.

FUMIGATION OF ENCLOSED AREAS CCR 6782

- Any employee in an enclosed area during a fumigation application shall maintain continuous visual or voice contact with another employee stationed immediately outside of the enclosed area.

Remember: only for production agriculture, so examples of this would be:
Potting Soil
Soil Fume/Preplant inside greenhouse, mushroom house, etc.

JANUARY 2017

- DPR's new regulations will become effective January 2, 2017
- We expect USEPA to grant equivalency
- If you comply with DPR's regulations
- You comply with USEPA regulations
- Future updates for 2018…

THANK YOU!!

Brandi M. Martin

DPR-CRO

EBL-Enforcement Branch

395 W. Spruce Ave. Suite 103

Clovis, CA 93611

559-297-5424

Brandi.Martin@cdpr. ca.gov