

Work Group on Worker Safety

Pesticide Program Dialogue Committee
June 15, 2006

Role of PPDC Work Group

■ Consultation

- Primary identification of issues
- Supply support information
- Review material

■ Coordination

- Provide information to constituents
- Solicit their input & comments

■ Continued Involvement

- Engage in the iterative process
- Respond to the evolving regulatory options

Need for Regulatory Change

Risk Reduction

- Close gaps in intended protection
- Address risks identified since original rules
- Respond to stakeholder reviews
- Raise minimal federal standards

Program Improvements

- Basic good government
- Clarity & transparency in programs & guidelines
- Balance statutory requirements with economic & risk analyses

Program Efficiency

- Clarify existing rules
- Improve federal standards to promote reciprocity between states

Areas for Change

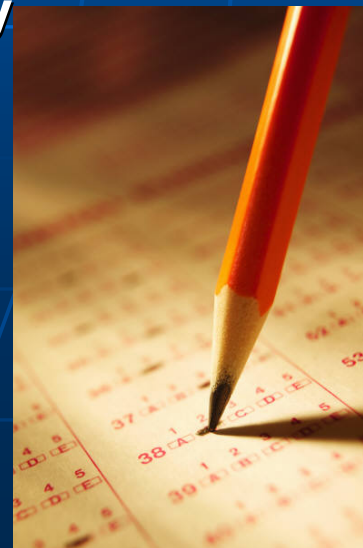
Applicator Certification Regulation (40 CFR 171)

Protective: Appropriate Coverage & Raise Competency

- Expand users required to demonstrate competence
- Better define "under-the-supervision"
- Require RUP dealers to prove competency
- Require persons training workers to be competent
- Set minimum age for occupational users
- Require testing for occupational users
- Set standard requirements for testing
- Competency requirements consistent with risk
- Better define recertification & process for quality assurance in recertification

Efficiency

- Update plan requirements for states/tribes/territories
- Develop standard certification categories
- Assure program accountability



Areas for Change

Ag Worker Protection Regulation (40 CFR 170)

Protective: Inform Workers

- Ensure meaningful hazard communications
- Ensure meaningful training – content, grace period, training interval
- Require trainers to demonstrate competence
- Establish training reporting as verification
- Protect children from pesticide-treated fields



Efficiency

- Clarify vague WPS provisions
- Clarify exceptions
- Exempt certified crop advisors & aerial applicators
- Require handlers to demonstrate competency
- Express regulation in plain language
- Assure program accountability

Areas for Change

Labeling Regulations (40 CFR 152,156)

- Amend labeling rules to make applicator certification changes enforceable
- Amend labeling rules to make agricultural worker protection changes enforceable
- Revise labels to conform to rule changes



Request for Feedback from the February Work Group Meeting

Questions / Discussion

Clarifying questions

Other potential issues

Reactions to specific proposals

Documentation pro or con

**Identify & add issues for further
discussion**

Comments Received

■ Comments

- American Assoc. of Pesticide Safety Educators
- Individual pesticide State Lead Agencies
- Farm worker representative
- Grower representative
- Registrant representative
- EPA's Office of Children's Health Protection FACA committee

Initial Comments

- **Generally, with reservation, support intent**
- **Concern about details/definitions**
- **Concern about cost impacts**
- **Concern about time for stakeholder input**
- **Concern about risk protection issues having priority**

Work Group Engagement Matrix to Scope Issues for Discussion

Issue	Work Group (WG) Engagement	Comments
Set 1	WG conference calls	
Set 2	WG Subset calls & e-mails	
Set 3	Ongoing review	

EPA & Work Group Next Steps

- Jul – Distribute Set 1 issue papers
- Aug – Conference calls on Set 1
- Sept – Distribute Set 2, 3 issue papers
- Oct – Determine Set 2, 3 engagement
- Nov – Distribute draft preamble
- Jul-Dec – Distribute various documents at critical junctures
- Aug 07 – Comment during public comment period

Process Schedule

- **Jun** Second meeting of PPDC workgroup
- **Jul** First draft of regulatory language
Review draft economic analysis
- **Jul-Dec** Ongoing stakeholder involvement
- **Nov** EPA preliminary options selection
- **Dec** Final EPA review
Redraft proposed regulation
- **Feb 07** Draft regulation to OMB
- **Aug 07** Publish proposed regulation for public comment