Worker Protection Standard Inspection Checklist

Agricultural Establishment

DATE	INSPECTION NUMBER
OWNER/OPERATOR APPLICATOR	FIRM OR PREMISE NAME

Inspector Credentials Presented	☐ Yes ☐ No	**Routine inspection**	☐
Notice of Inspection Provided	☐ Yes ☐ No	**For Cause inspection**	☐

A. AGRICULTURAL ESTABLISHMENT INFORMATION

Immediate Family Exemption Criteria for Workers and Handlers 170.305, 170.601(a)

Are ALL the workers and handlers the owner (or majority owner) or immediate family? Exemption applies to: spouses, children, step children, foster children, sons-in-law, daughters-in-law, grandchildren, parents, step parents, foster parents, grandparents, fathers-in-law, mothers-in-law, aunts, uncles, brothers, sisters, brothers-in-law, sisters-in-law, nieces, nephews, first cousins

Workers: Yes ☐ Handlers: Yes ☐

If both answers are "yes", stop using this form and use checklist, "Owners of Agricultural Establishments and Immediate Family"

If one answers is "no", continue to use this checklist as appropriate.

B. RECORDS REVIEW:

Pesticide Application Information and SDSs 170.311(b)

	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No	Are pesticide application information and SDSs retained on the establishment for 2 years? (safety data sheets, product name, registration number, active ingredient, crop or site treated, location and description, date, start and end time of application, duration of REI)	24	170.311(b)

Identify WPS pesticide(s) applied or REI in effect in the past 30 days (minimum of 3 products if possible) through a record review, interview and/or visual inspection of products in storage and record as appropriate to facilitate the inspection: product name/#; date applied; method of application; special requirements; weather conditions during application; PPE required; REI (record and attach).

Pesticide Safety Training Records 170.401(d), 170.501(d)

Worker Training Records			
☐Yes ☐No	Current workers trained in past 12 months?	27	170.401(a)
☐Yes ☐No	Records retained for 2 years on establishment? (Worker name, signature, date of training, EPA-approved materials, trainer's name, trainer's qualifications, name of ag employer)	27-28	170.401(d)
Handler Training Records			
☐Yes ☐No	Current handlers trained in past 12 months?	27	170.501(a)
☐Yes ☐No	Records retained for 2 years on establishment? (Handler name, signature, date of training, EPA-approved materials, trainer's name, trainer's qualifications, name of ag employer)	27-28	170.501(d)

Respirator Records 170.507(b)(10)			
☐Yes ☐No ☐N/A	Are respirator records retained on the establishment for 2 years?	68	170.507(b)(10)
☐Yes ☐No ☐N/A	Have handlers received medical evaluation, fit testing and training for required respirator?	68	170.507(b)(10)
Access and Availability of Records 170.311(b)(7) through (9)			
☐Yes ☐No ☐N/A	Has a worker, handler, or designated representative requested application information and/or SDS? If so, was it provided within 15 days of receipt? Have treating medical personnel requested application information and/or SDS? If so, was it provided promptly?	25	170.311(b)(7)-(9)
C. MINIMUM AGE FOR HANDLERS AND EARLY ENTRY WORKERS 170.309(c)			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No	Are all handlers and early entry workers at least 18 years of age?	20	170.309(c), 170.605(a)
D. INFORMATION DISPLAY			
Location of the "Central Display" 170.311(a)(5), 170.311(b)(2) and (3)			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No	Has an appropriate central display been established in an area where workers and handlers are likely to congregate or pass by and is it accessible during work hours?	21	170.311(a)(5), 170.311(b)(2) & (3)
WPS Safety Information Display 170.311(a)			
☐Yes ☐No	Is the EPA WPS Safety Poster (or equivalent) displayed in central location, easily accessible, and legible? Is all required WPS safety information being provided at the central display? Are the name, address and phone number of an emergency medical facility displayed? Are the name, address and phone number of the state/ tribal pesticide agency displayed? Are any changes to required information made within 24 hours of receiving notice of changes?	21-23	170.311(a)
☐Yes ☐No	Is the pesticide safety information displayed where decontamination supplies are located at permanent sites and provided at locations where a toilet is provided for 11 or more workers (as required by OSHA Field Sanitation Standards, 29 CFR, Part 1928.110)?	21	170.311(a)

Pesticide Application and Hazard Information (SDS) Display 170.311(b)(1)-(5)			
☐Yes ☐No	Is all required pesticide application information provided at central location? Including: Crop or site treated and location and description of treated area, date(s) of application, start and end times, pesticide product name, active ingredient(s), EPA reg. no., re-entry interval (if any)	21	170.311(b)(1)-(5)
☐Yes ☐No	Is the Safety Data Sheet (SDS) for each pesticide made available?	21	170.311(b)(1)-(5)
☐Yes ☐No	Is the application information and SDS displayed no later than 24 hours after the end of the applications (but before workers enter the treated area) and kept posted for 30 days after the last REI expiration if workers/handlers are present?	22	170.311(b)(1)-(5)
☐Yes ☐No	Are the application information and SDSs easily accessible and legible?	22	170.311(b)(1)-(5)
E. KNOWLEDGE OF LABELING, APPLICATION- AND ESTABLISHMENT-SPECIFIC INFORMATION 170.403(a)–(c) and 170.503(a) and (b)			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No	Before a handler performed any handler activity, did the agricultural employer ensure the handler read applicable portions of the label on safe use or was informed in a manner the handler can understand?	59	170.503(a)(1)
☐Yes ☐No	Did the handler have access to the labeling at all times, and was the handler aware of any entry restrictions, application exclusion zone and REI?	59	170.503(a)(2) & (3)
☐Yes ☐No	Before any worker performs any activity in a treated area where within the last 30 days a pesticide product has been used or an REI has been in effect or any handler performs any handler activity, has the employer informed workers and handlers in a manner workers and handlers can understand, of the location of pesticide safety information, pesticide application and SDSs, and decontamination supplies?	30	170.403(a)-(c), 170.503(b)

F. WORKER DECONTAMINATION 170.411			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No ☐N/A	Are the appropriate decontamination supplies provided? Including: 1 gallon of water provided for each worker at the beginning of work period and replenished to rmaintain adequate supply, soap, single-use towels?	48	170.411(b)
☐Yes ☐No ☐N/A	Are decontamination supplies located within 1/4 mile of the work site or nearest site of vehicular access and outside a pesticide treated area under an REI and reasonably accessible?	48	170.411(d)
☐Yes ☐No ☐N/A	If REI is 4 hours or less, are the decontamination supplies provided for 7 days? Or 30 days if REI is more than 4 hours?	48	170.411(c)
G. HANDLER DECONTAMINATION AND EYEWASH SUPPLIES 170.509			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No ☐N/A	Are decontamination supplies located at mixing sites?	75	170.509(c)(1)
☐Yes ☐No ☐N/A	For all other handler tasks, are decontamination supplies located within 1/4 mile from handler or nearest place of vehicular access? Are supplies located outside a treated area or area under REI or in a closed container protected from pesticide contamination?	75	170.509(c)
☐Yes ☐No ☐N/A	Are the appropriate decontamination supplies provided? Including 3 gallons of water provided for each handler (at the beginning of work period and replenished to maintain adequate supply), soap, single use towels, and a change of clothes?	74	170.509(b)
☐Yes ☐No ☐N/A	At each mixing/loading site for products requiring eye protection or using a closed system under pressure is there an appropriate eyewash system immediately available to a handler? (Either a system to deliver gently running water (at a rate of 0.4 gal/min) for 15 minutes or at least 6 gallons in containers suitable for providing a gentle eye-flush for about 15 minutes)	74	170.509(d)(1)
☐Yes ☐No ☐N/A	Does each applicator have at least one pint of water immediately available in a portable container when pesticide label requires eye protection?	74	170.509(d)(2)

H. APPLICATION RESTRICTIONS AND HANDLER PROTECTIONS 170.405 and 170.505			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No ☐N/A	Do all handlers observed by the inspector appear to be over 18?	20	170.309(c)
☐Yes ☐No ☐N/A	Did the handler suspend application because someone was in the application exclusion zone? (for enclosed space, in area in column B in Table in 170.405(b)(4)) and was the application continued properly?	60-61	170.505(b)
☐Yes ☐No ☐N/A	Was each pesticide applied so that it did not contact, either directly or through drift, anyone except appropriately trained and equipped handlers?	60	170.505(a)
☐Yes ☐No ☐N/A	If toxic product with skull & crossbones symbol was used, was contact with the handler made at least every 2 hours by voice, sight or another appropriate method?	61	170.505(c)
☐Yes ☐No ☐N/A	If a fumigant was applied in an enclosed space, was continuous visual or voice contact with another handler equipped with PPE maintained? Did the handler outside the enclosed space have immediate access to required PPE in case a rescue is required?	61	170.505(d)
Entry Restrictions			
☐Yes ☐No☐N/A	For **enclosed space production applications**, were workers and other persons kept out of restricted areas for the times specified in the table in 170.405(b)(4) during the application other than appropriately trained and equipped handlers involved in the application? For **outdoor production applications**, were workers and other persons (other than appropriately trained and equipped handlers involved with the application) kept out of the treated area and application exclusion zone?	37-40	170.405

I. NOTIFICATION AND ENTRY RESTRICTIONS			
Entry Restrictions after Applications 170.407			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No ☐N/A	After application of any pesticide to an **outdoor production area**, does the employer not allow any worker to enter or remain in the treated area before the REI has expired and all warning signs have been removed or covered? (except for permitted early entry activities)	41	170.407(a)
☐Yes ☐No ☐N/A	After application of any pesticide to an area of **enclosed space production**, does the employer not allow any worker to enter or remain in the area specified in Table 1 in 170.405(b)(4) (see pages 13-14) before the REI has expired and all warning signs have been removed or covered? (except for permitted early entry activities)	41	170.407(b)
Posting & Notification 170.409			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No ☐N/A	**For any double notification pesticide** (highly toxic): notification **provided both orally and by posting?** **Did the oral notification meet the requirements for outdoor or enclosed space production areas?** Did the oral notification include the location, dates and times of restrictions? Did the oral notification include instructions about the restriction in a manner that was understandable to workers? Was the oral notification provided before the application or at the time a worker begins their work period? **Did the posting meet the requirements for outdoor or enclosed space production areas?** Did signs meet the size and content requirements? Were signs posted in adequate locations? Were signs posted no sooner than 24 hours but before the application? Did signs remain posted until REI expired? Were signs removed within 3 days of REI expiration (or was no entry ensured)?	42	170.409(a)(1)(i)

☐Yes ☐No ☐N/A	**For any outdoor production area applications with REI of 48 hours or less**, was either oral notification or posted warning signs used? **If oral notification:** Did the notification include the location, dates and times of restrictions? Did the notification include instructions about the restriction in a manner that was understandable to workers? Was the notification provided before the application or at the time a worker begins their work period? **If posted warning signs:** Did signs meet the size and content requirements? Were signs posted in adequate locations? Were signs posted no sooner than 24 hours but before the application? Did signs remain posted until REI expired? Were signs removed within 3 days of REI expiration (or was no entry ensured)?	42	170.409(a)(1)(iii)
☐Yes ☐No ☐N/A	**For any outdoor production area applications with REI greater than 48 hours** were posted warning signs used? Did signs meet the size and content requirements? Were signs posted in adequate locations? Were signs posted no sooner than 24 hours but before the application? Did signs remain posted until REI expired? Were signs removed within 3 days of REI expiration (or was no entry ensured)?	42	170.409(a)(1)(ii)
☐Yes ☐No ☐N/A	**For any enclosed space production area applications with REI greater than 4 hours** were posted warning signs used? Did signs meet the size and content requirements? Were signs posted in adequate locations? Were signs posted no sooner than 24 hours but before the application? Did signs remain posted until REI expired? Were signs removed within 3 days of REI expiration (or was no entry ensured)?	42	170.409(a)(1)(iv)

☐Yes ☐No ☐N/A	**For any enclosed space production area applications with REI of 4 hours or less** was either oral notification or posted warning signs used? **If oral notification:** Did notification include the location, dates and times of the restriction? Did notification include instructions about the restriction in a manner that were understandable to the workers? Was the notification provided before the application or at the time a worker begins their work period? **If posted warning signs:** Did signs meet the size and content requirements? Were signs posted in adequate locations? Were signs posted no sooner than 24 hours but before the application? Did signs remain posted until REI expired? Were signs removed within 3 days of REI expiration (or was no entry ensured)?	43	170.409(a)(1)(v)
J. INFORMATION EXCHANGE 170.309(k), 170.313(i)			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
If agricultural employer is employing a commercial handler to make applications:			
☐Yes ☐No ☐N/A	Does the agricultural employer give the location and description of treated areas or REIs and restrictions near (within ¼ mile) those areas where applications are or will be made on their establishment to a commercial pesticide handler employer?	83	170.309(k)
☐Yes ☐No ☐N/A	Does the commercial pesticide handler employer inform the agricultural employer of: location and description of areas to be treated, date and time of application, product name, registration number, active ingredient, REI, requirement for oral and/or written notification, and any other restrictions?	84	170.313(i)
K. PERSONAL PROTECTIVE EQUIPMENT (PPE) 170.507			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
For pesticide products reviewed:			
☐Yes ☐No ☐N/A	Did the handlers use the clothing and PPE specified on the product labeling?	62	170.507(a)

☐Yes ☐No ☐N/A	Did the agricultural employer provide clean, operational PPE to the handler to meet label requirements?	62-64	170.507(b)
☐Yes ☐No ☐N/A	Before each day of use, did the agricultural employer ensure all PPE was inspected and repaired or discarded as appropriate?	64	170.507(c)
☐Yes ☐No ☐N/A	Did the agricultural employer assure that handler wears and uses PPE correctly?	64	170.507(c)
☐Yes ☐No ☐N/A	Is the PPE properly cleaned and thoroughly dried before storage? Is clean PPE stored separately from personal clothing and contaminated areas? Is there a clean place for putting on and removing PPE?	64	170.507(d)
☐Yes ☐No ☐N/A	Where labeling requires PPE for handler activities, did the agricultural employer take sufficient measures to prevent heat-related illness and instruct each handler in the prevention, recognition and first aid treatment of heat-related illness?	65	170.507(e)
☐Yes ☐No ☐N/A	If respirators are required and handlers are present, did handlers receive medical clearance, fit testing and training?	68	170.507(b)(10)
☐Yes ☐No ☐N/A	If using particulate filtering facepiece respirators, are they replaced appropriately? (i.e., breathing resistance excessive; filter is damaged; according to respirator or product label; after 8 hours of use)	73	170.507(d)(6)
☐Yes ☐No ☐N/A	If using vapor-removing canister/cartridge respirators, are they replaced appropriately? (based on odor, taste, irritation; breathing resistance excessive; according to respirator or pesticide product label; after 8 hours of use)	73	170.507(d)
L. PESTICIDE HANDLING EQUIPMENT 170.313(f), (g) and (l) and 170.309(i) and (j)			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No ☐N/A	Before use, did the agricultural employer instruct handlers in the safe operation of application and mixing/loading equipment and inspect and repair application and mixing/loading equipment before each day of use?	79	170.313 (f) & (g)
☐Yes ☐No ☐N/A	Has any person employed by the agricultural establishment, who cleans, repairs, or adjusts the pesticide equipment, been trained as a handler?	20	170.309(g)

☐Yes ☐No ☐N/A	If any persons not employed by the agricultural establishment, clean, repair, or adjust the pesticide equipment, are they provided the following information: that the equipment may be contaminated; potential harmful effects of pesticide exposure; how to limit exposure; and how to wash to remove contamination?	20	170.309(g)
M. EARLY ENTRY			
Entry Restrictions 170.605			
Inspector observation ☐ Based on interview ☐			
	WPS Requirement	Reference Page in How To Comply	Regulatory Citation
☐Yes ☐No ☐N/A	Do all early entry workers appear to be at least 18?	52	170.605(a) 170.309(c)
☐Yes ☐No ☐N/A	Prior to early entry, did the employer provide the following information in a manner understandable to the workers: location of early entry area where work is to be performed; pesticides applied; dates and time the REI begins and ends; which exception is the basis for early entry and tasks that may be performed; whether contact with treated surfaces is allowed; amount of time allowed in the treated area; PPE required by the label for early entry; location of pesticide safety information and decontamination supplies?	52	170.605(b)
☐Yes ☐No ☐N/A	Prior to early entry, did the employer ensure that each early entry worker has either read the product labeling or has been informed in a manner that is understandable, of all labeling requirements and statements related to human hazards or precautions, first aid or user safety?	52	170.605(c)
☐Yes ☐No ☐N/A	Prior to early entry, did the employer ensure each early entry worker is provided with the required PPE, that it is used as intended and is properly maintained?	53	170.605(d)
☐Yes ☐No ☐N/A	Prior to early entry, did the employer take sufficient measures to prevent heat-related illness and instruct each worker in the prevention, recognition and first aid treatment of heat-related illness?	53	170.605(f)
☐Yes ☐No ☐N/A	Are decontamination supplies located outside any treated area or area under REI or where reasonably accessible to workers conducting early entry tasks?	54	170.605(h)
☐Yes ☐No ☐N/A	Are decontamination supplies located where a worker removes personal protective equipment?	54	170.605(j)

☐Yes ☐No ☐N/A	Are the appropriate decontamination supplies provided: 3 gallons of water for each early entry worker (at the beginning of work period and replenished to maintain adequate supply); soap and single use towels?	54	170.605(j)
☐Yes ☐No ☐N/A	Does each worker have at least one pint of water immediately available for eye-flushing in a portable container when pesticide label requires eye protection?	54	170.605(i)
Exception for Activities with No Contact 170.603(a)			
☐Yes ☐No ☐ N/A	If using the no contact exception, are all the required conditions met: no contact with anything treated with the pesticide even if wearing PPE; no entry before inhalation or ventilation criteria met?	49	170.603(a)
Exception for Limited Contact and Irrigation Activities 170.603(d)			
☐Yes ☐No ☐N/A	If using the exception for limited contact and irrigation activities, are all the required conditions met: entry must not occur during first 4 hours or before inhalation or ventilation criteria met; no hand labor activity was performed; time did not exceed 8 hours in 24-hour period; a dual notice pesticide was not used; situation could not have been foreseen (except irrigation tasks); not doing the activity would result in substantial economic loss?	51	170.603(d)
Exception for Short Term Activities 170.603(b)			
☐Yes ☐No ☐N/A	If using the short-term activity exception, were all the required conditions met: entry did not occur during first 4 hours or before inhalation or ventilation criteria met; no hand labor activity was performed; time did not exceed 1 hour in 24 hours?	49	170.603(b)
Exception for Agricultural Emergency 170.603(c)			
☐Yes ☐No ☐N/A	If agriculture emergency exception, were all required conditions met: situation meets criteria for agricultural emergency; entry did not occur during first 4 hours or before inhalation or ventilation criteria met; if dual use pesticide was used, time did not exceed 4 hours in 24 hours?	50	170.603(c)
N. EMERGENCY ASSISTANCE 170.309(f)			
☐Yes ☐No ☐N/A	Has a worker or handler experienced potential pesticide exposure during or within 72 hours after employment? If so, was transportation to an emergency medical care facility provided and information (SDS, circumstances of application and exposure) provided to medical personnel?	26	170.309(f)

O. ANTI-RETALIATION 170.315			
☐Yes ☐No ☐N/A	Based on information available, no person was threatened, intimidated, coerced, discriminated against or experienced retaliation for complying with or attempting to comply with WPS requirements, or for providing information regarding violative behavior. Check Yes if this is correct.	33	170.315

DISPOSITION OF INSPECTION	
Describe any observations made during the inspection that may require additional attention. Attach relevant documentation.	
Inspector Signature:	Date:

Attachment to WPS Agricultural Establishment Inspection Checklist

WPS Pesticide Products							
Product Name	**Product #**	**Date Applied**	**Method of Application**	**Special Requirements/ Restrictions***	**Weather Conditions**	**PPE Required**	**REI**

*Note special requirements and restrictions such as if dual notification (oral and posting) is required to workers, if the label has the skull and crossbones symbol and any special protections during application or related to decontamination.

Table —Entry Restrictions During Enclosed Space Production Pesticide Applications 170.405(b)(4)

A. When a pesticide is applied:	B. Workers and other persons, other than appropriately trained and equipped handlers, are prohibited in:	C. Until:	D. After the expiration of time specified in column C, the area subject to the restricted-entry interval is:
(1) As a fumigant	Entire enclosed space plus any adjacent structure or area that cannot be sealed off from the treated area	The ventilation criteria of paragraph (b)(3)[a] of this section are met	No post-application entry restrictions required by §170.407 after criteria in column C are met.
(2) As a (i) Smoke, or (ii) Mist, or (iii) Fog, or (iv) As a spray using a spray quality (droplet spectrum) of smaller than medium	Entire enclosed space	The ventilation criteria of paragraph (b)(3)[a] of this section are met	Entire enclosed space.
(3) Not as in (1) or (2), and for which a respiratory protection device is required for application by the pesticide product labeling	Entire enclosed space	The ventilation criteria of paragraph (b)(3)[a] of this section are met	Treated area.
(4) Not as in (1), (2) or (3), and: (i) From a height of greater than 12 inches from the planting medium, or (ii) As a spray using a spray quality (droplet spectrum) of medium or larger	Treated area plus 25 feet in all directions of the treated area, but not outside the enclosed space	Application is complete	Treated area.
5) Otherwise	Treated area	Application is complete	Treated area.

[a] When Column C of the Table under paragraph (b)(4) of this section specifies that ventilation criteria must be met, ventilation must continue until the air concentration is measured to be equal to or less than the inhalation exposure level required by the labeling. If no inhalation exposure level is listed on the labeling, ventilation must continue until after one of the following conditions is met:

(i) Ten air exchanges are completed.
(ii) Two hours of ventilation using fans or other mechanical ventilating systems.
(iii) Four hours of ventilation using vents, windows, or other passive ventilation.
(iv) Eleven hours with no ventilation followed by one hour of mechanical ventilation.
(v) Eleven hours with no ventilation followed by two hours of passive ventilation.
(vi) Twenty-four hours with no ventilation.