



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 25 2019

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

MEMORANDUM

SUBJECT: Response to Final Report entitled "EPA Needs to Establish New Effective Dates for Revised Worker Protection Standard and Collect Pesticide Exposure Incident Data," Report No. 18-P-0080.

FROM: Alexandra Dapolito Dunn
Assistant Administrator

A handwritten signature in blue ink, appearing to read "Alexandra Dapolito Dunn", is written over the typed name and title.

TO: Charles J. Sheehan
Acting Inspector General

This memorandum seeks to resolve Recommendation 2 of the Office of Inspector General's (OIG's) Final Report entitled, "EPA Needs to Establish New Effective Dates for Revised Worker Protection Standard and Collect Pesticide Exposure Incident Data," dated February 15, 2018. As the result of a collaborative effort with the OIG, culminating in an OIG/OCSPP management agreement obtained on November 13, 2018, OCSPP is proposing to revise its corrective action plan as described below. OCSPP is grateful to the OIG for working with us to devise a plan that fully meets the OIG's recommendations, and is pleased that the Final Report recognizes OCSPP's continuing efforts to improve worker safety and protection through the implementation of the revised Worker Protection Standard (WPS).

OCSPP's Response to the Unresolved Recommendation:

OIG Recommendation 2: "Develop and implement a methodology to evaluate the impact of the revised Agricultural Worker Protection Standard on pesticide exposure incidents among target populations."

OCSPP's Proposed Corrective Action: OCSPP will: (1) collect and review data related to the extent to which agricultural workers obtain knowledge through trainings; (2) collect and review incident data; and (3) after reviewing training and incident data, analyze the need to collect additional information to help evaluate the impact of the revised Worker Protection Standard. These efforts are described below.

(1) Training Data

One of the more significant changes in the 2015 Worker Protection Standard is the requirement that agricultural workers receive enhanced training more frequently. Beginning on December 19, 2018, the WPS-enhanced pesticide safety content must be used to train agricultural workers. As discussed in the record for the WPS rulemaking, OCSPP determined that frequent repetition of the enhanced training should reduce exposure incidents. As a potential indicator of the Final Rule's impact and effect, OCSPP will collect and review the effect of training as described below.

OCSPP has a cooperative agreement with the Association of Farmworker Opportunity Programs (AFOP) to support a national pesticide safety training program for agricultural workers, their families, and the agricultural community on steps to reduce exposure to pesticides. The program focuses on steps agricultural workers can take to reduce exposure to pesticides. AFOP also has a grant from the Occupational Safety and Health Administration (OSHA) to conduct training on topics related to agricultural safety. AFOP conducts a pre- and post-training assessment for these training programs as a condition of the OSHA grant, and shares the pesticide safety training portion of the report with OCSPP. The training reports capture the pesticide safety steps learned by workers.

OCSPP will examine data from the training reports collected two years before and after the December 19, 2018, effective date of enhanced training, 2016 through 2020. This data should provide valuable information about the level of pesticide safety awareness among agricultural workers.

(2) Incident Data

OCSPP will collect and review incident data from SENSOR and NPIC as described below.

OCSPP has an interagency agreement with the National Institutes of Occupational Safety and Health to support the Sentinel Event Notification System for Occupational Risk (SENSOR) Pesticides database. The data provides a snapshot into agricultural workers' exposure to pesticides by using pesticide illness case reports from 9 to 13 states.¹

OCSPP has a cooperative agreement with Oregon State University to operate the National Pesticide Information Center (NPIC) that provides the public with objective, science-based information about pesticides and related topics. Also, the public voluntarily reports exposure incidents to the Center. NPIC provides the Certification and Worker Protection Branch with reports of agricultural workers' exposure to pesticides.

¹ The number of states involved depends on the availability of annual funds committed by federal agencies and state participation and resources.

(3) Other Metrics

After reviewing training and incident data, OCSPP will consider the need to collect additional information to help evaluate the impact of the revised Worker Protection Standard. EPA will examine the potential for additional sources of information that might contribute to a better understanding of the rule's impact by December 2022.

Target Completion Date: OCSPP will complete a Final Report on the three efforts described above by December 31, 2022.

cc: Janet L. Weiner, OCSPP
Jeff Harris, OIG
Rick Keigwin, OPP
Ed Messina, OPP
Jackie Mosby, OPP
Bobbie Trent, OCFO AFC