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PESTICIDES PROGRAM NOTIFICATIONS AND UPDATES

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Changes to EPA's Worker Safety Program

- Certification and Training of Pesticide Applicators
- The Agricultural Worker Protection Standard (WPS)



EPA Region 9 Pesticide Program
January 2016

Overview of Certification and Training of pesticide applicators (C&T)

- Restricted use pesticides (RUPs) can only be sold by dealers and purchased and used by someone who is certified.
- The rule establishes requirements to ensure RUP applicators are competent.
- Only covers RUPs – not all pesticides.
- RUPs are used in agriculture and other settings (such as housing/structures,

Goals for the C&T Changes

- Update the old requirements – the C&T requirements have not changed since they were established in 1974.
- Reduce adverse health and environmental effects from pesticide exposures.
- Ensure applicators are competent to use these particularly high risk pesticides.



Key Proposed Changes to C&T

For all RUP applicators:

- Establish new minimum age of 18 to apply RUPs.
- Require training for uncertified people who work with RUPs.
- Create a new method for legal use of RUPs in Indian country

Changes specific to agricultural use:

- New categories for particularly high risk application methods (aerial application, soil fumigation).
- Stronger requirements for people who apply RUPs only to their own land (Private Applicators).

Options for Certification of Applicators in Indian country

1. Tribe may be covered by a Federal Plan to certify applicators (examples include the National Federal Plan and the Federal Plan for Navajo Nation)

No change

2. Tribe may establish a Tribal Plan to certify applicators **No change**

3. Tribe may sign an agreement with a State to accept the State certification – **Revised to allow an agreement with the EPA Region for specific areas of Indian country.**

- *Expect this to be simpler for tribes.*

Timing for revising the C&T requirements

- Comment period ended January 22, 2016.
- EPA is moving quickly to respond to comments, write and publish a final rule.
- Once Certification and Training regulations are final there will be a long implementation period to update laws/regs/codes/ordinances, trainings, exams and to ensure applicators are aware of the new rules.



Worker Protection Standard Overview

- Provides protection from pesticide exposure for workers on farms, forests, nurseries and greenhouses.
- Workers include fieldworkers, pesticide applicators, irrigators, pruners, mechanics, etc.
- Employers (including tribal operations) are responsible for providing WPS protections.



Major Changes to the WPS

- Establish a minimum age of 18 for certain activities.
- Require annual pesticide safety training.
- Require warning/do not enter signs for certain pesticides.
 - Establish 'buffer zones' around equipment during pesticide applications
 - Establish safety rules in those situations when pesticide applicators must wear a respirator (similar to other workplace rules/OSHA)



Key dates for the WPS

September 28, 2015 -- WPS final rule announced.

2016 -- Compliance period (old rule in effect while doing outreach and education on new requirements)

January 2, 2017 -- Compliance is required with most of the revised WPS requirements except new training topics.

January 1, 2018 – Compliance is required with all of the revised WPS requirements.



Worker Safety Resources

- EPA's website for WPS
<http://www.epa.gov/pesticide-worker-safety/revisions-worker-protection-standard#when>
- Comparison of current and revised WPS
<http://www.epa.gov/oppfead1/safety/workers/proposed/comparisons-current-proposed-wps.pdf>
- EPA's website for C&T
<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPP-2011-0183-0001>
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