

# Worker Protection Standard (WPS)



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40 CFR Part 170

# Worker Protection Standard (WPS)

- Originally issued in 1992
- Revised in 2015
- Primarily intended to reduce the risks of illness or injury to workers or handlers resulting from occupational exposures to pesticides used in the production of agricultural plants on agricultural establishments

# Who Has to Comply With WPS?

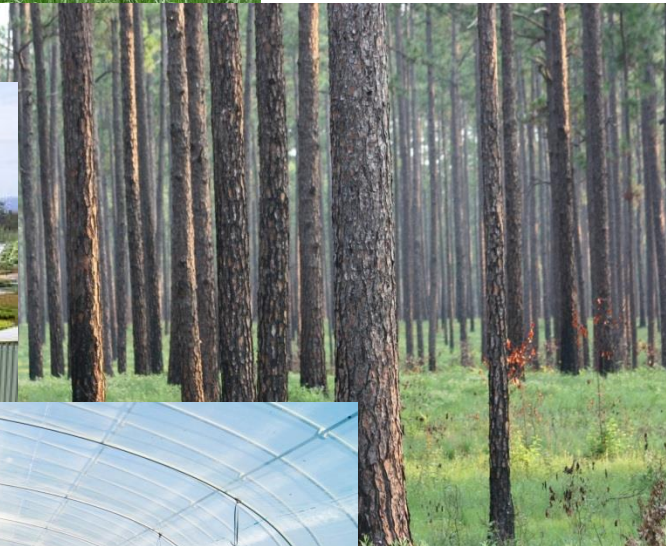
## Agricultural Establishments

# Who has to comply with WPS?

- Farms



- Forests



- Nurseries



- Greenhouses



# Agricultural Use Requirements



## **AGRICULTURAL USE REQUIREMENTS**

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), notification to workers, and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 48 hours.

Each 48 hour REI is increased to 72 hours in outdoor areas where average rainfall is less than 25 inches a year.

**Exception:** If the product is soil-injected or soil-incorporated, the Worker Protection Standard, under certain circumstances, allows workers to enter the treated area if there will be no contact with anything that has been treated.

**PPE** required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water, is:

- Coveralls over short-sleeved shirt and short pants
- Waterproof gloves
- Chemical-resistant footwear plus socks
- Chemical-resistant headgear for overhead exposure

Notify workers of the application by warning them orally and by posting warning signs at entrances to treated areas.

# Requirements for Administering Training for Workers or Handlers

- Annual Training
- Training materials must be EPA approved
- Training must be provided either orally from written materials or audio-visually
- Training must be provided in a manner the worker or handler can understand
- Training location must be reasonably free from distractions and conducive to training

# Requirements for Training Administration

- Training for workers and handlers may be conducted by certified applicators that have completed an approved Train – the – Trainer program
- Workers must be trained before they enter an area that has been treated with a pesticide or where an REI has been in effect within the last 30 days
- Handlers must be trained before they perform a handling task
- A qualified trainer must be present during the training session to respond to any questions
- Records must be maintained of training



# Who Does the WPS Protect?



- Workers
  - Anyone who:
    - Is employed (including self-employed) in exchange for a salary or wages or other monetary compensation, and
    - Is doing tasks, related to the production of agricultural plants on an agricultural establishment such as harvesting, weeding, carrying nursery stock, repotting plants, pruning, or watering.
  - Employers are prohibited by this rule from allowing or directing a worker to mix/load or apply pesticides or assist in their application unless trained as a handler
- Early-Entry Workers
  - Entry into a treated area on the establishment after the pesticide application is complete, but before any REI has expired



# Who Does the WPS Protect?

- Pesticide Handlers

- Anyone who:

- Is employed (including self-employed) in exchange for a salary or wages or other monetary compensation by an agricultural establishment or a commercial pesticide handling establishment that uses pesticides in the production of agricultural plants, and
- Doing any of the following tasks:
  - Mixing, loading, transferring, applying pesticides, or disposing of pesticides,
  - Handling opened containers of pesticides; emptying, triple-rinsing, or cleaning pesticide containers according to pesticide product labeling instruction; or disposing of pesticide container that have not been cleaned,
  - Acting as a flagger,
  - Cleaning, handling, adjusting, or repairing the parts of mixing, loading or application equipment that may contain pesticide residues
  - Assisting with the application of pesticides, including incorporating the pesticide into the soil after the application has occurred, or dipping plant cuttings in rooting hormones that are registered pesticides,
  - Entering a greenhouse or other enclosed area after application and before the inhalation exposure level listed on the pesticide product labeling had been reached or any ventilation criteria established by WPS or on the pesticide product labeling has been met to: Operate ventilation equipment; Adjust or remove coverings, such as tarps used in fumigation; or Check air pesticide concentration levels,
  - Entering a treated area outdoors after application of any soil fumigant to adjust or remove soil coverings, such as tarps, or
  - Performing tasks as a crop advisor: During pesticide application; During any restricted-entry interval; or Before any inhalation exposure level listed on the pesticide product labeling has been reached or any ventilation criteria established by WPS or on the pesticide product labeling has been met



# Timeline of WPS on an Establishment

Prior to Application	During Application	After Application REI in Effect	After Application REI is Expired
Workers or Handlers	Handlers	Early-Entry Workers or Handlers	Workers or Handlers
	<ul style="list-style-type: none"> <li>Must be 18 years old</li> </ul>	<ul style="list-style-type: none"> <li>Must be 18 years old</li> </ul>	



# Crop Advisors

- A crop advisor may be a worker or handler under the WPS depending on when the crop advising task is done. A crop advisor is any person who is assessing pest numbers, damage, pesticide distribution, or the status or requirements of agricultural plants.
  - If crop advising tasks are done during a pesticide application or while the REI is in effect, the crop advisor is a handler under WPS
  - If crop advising tasks are done after the REI has expired, but is within the 30 days of the expiration of the REI, the crop advisor is a worker under WPS.
- The certified crop advisor exemption is ONLY for certified crop advisor and does NOT extend to any non-certified crop advisor employees working under their direct supervision.

# Crop Advisor Exemptions

- Crop advisor can determine the appropriate PPE to wear when doing crop advising tasks during the REI.
  - Self-determined set of PPE for the labeling-required PPE for themselves only
- Non-certified crop advisors performing crop advising tasks during the REI must wear one of the three following sets of PPE:
  - Labeling-required PPE for handlers
  - Labeling-required PPE for early-entry workers
  - Universal set of PPE (coveralls, shoes plus socks, waterproof gloves, and protective eyewear)
- Employers of crop advisors must provide all required WPS protections to any crop advisor employees who are not certified crop advisors
- No exemption for entry restrictions during an application



# Restrictions During & After Applications

## Handler/Owner Specific Duties

- Keep everyone except properly trained and equipped handlers out of areas being treated with pesticides
- Skull & cross-bone products: handlers must be monitored every two hours
- Fumigant use in greenhouses: must be monitored continuously

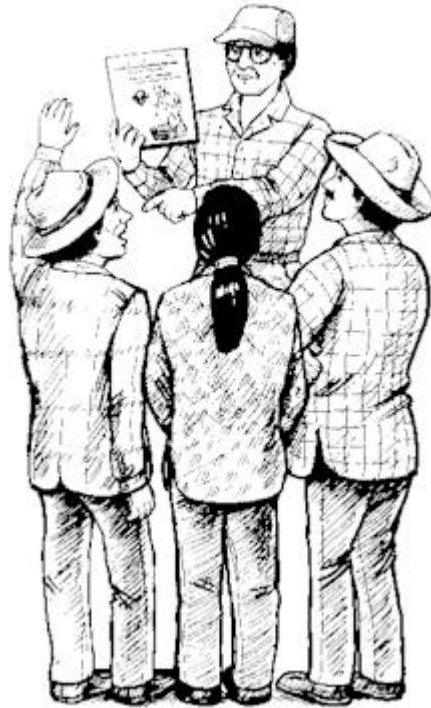
# Handler/Worker Training

## Who Can Conduct Training?

- Trainer must be a certified applicator, state-, tribal-, or EPA-designated trainers of applicators, handlers
- Persons who have completed an EPA approved Train-the-Trainer course
- In Louisiana a trainer must be a certified applicator and complete an approved Train-the-Trainer course

# Handler/Worker Training

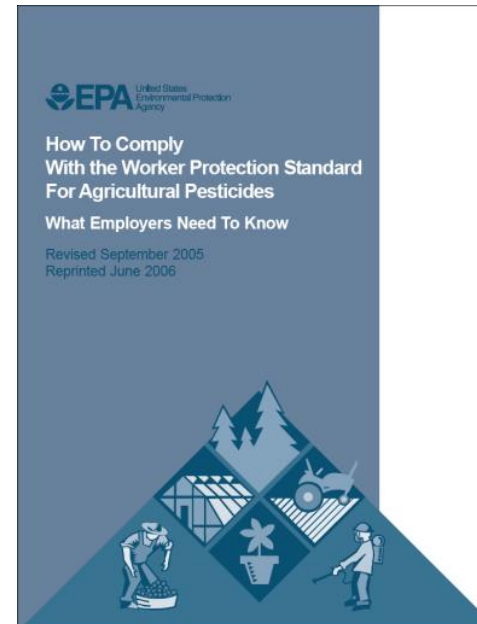
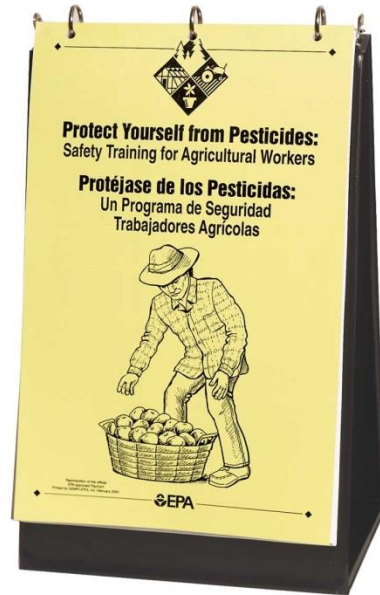
## Who must be trained?



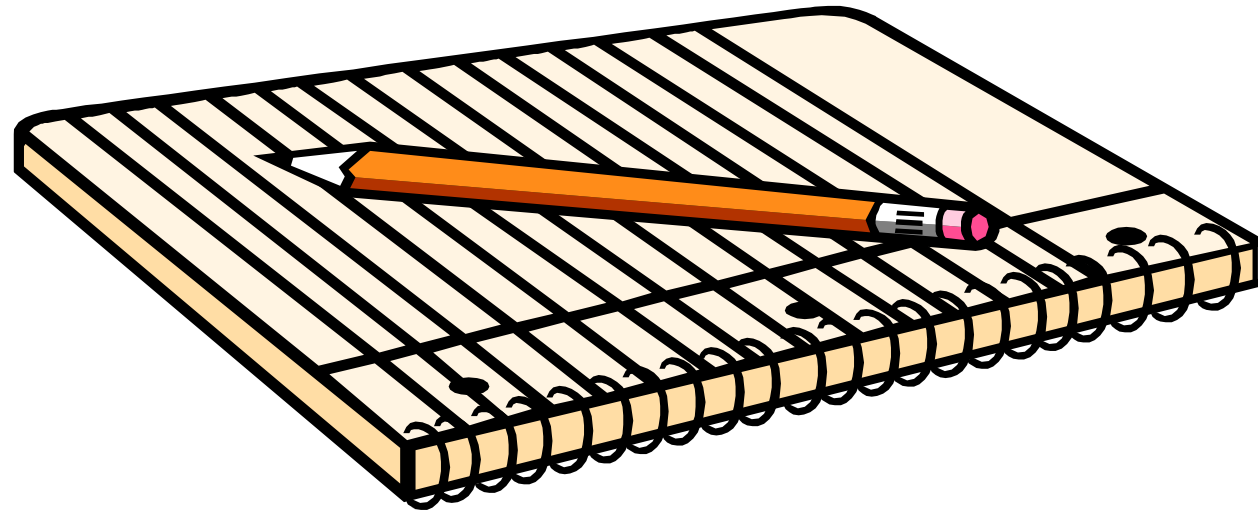
*Each worker and handler*

# Training Methods

- EPA/State approved training materials:
  - Videos, flip charts, manuals, slides
- Use language understood by worker
- Respond to questions



# Verification of Training





# Record Keeping Requirements Under the New Regulation

- The trained worker's printed name and signature
- The date of the training
- Information identifying which EPA-approved training materials were used
- The trainer's name and qualification to train
- The work or handler employer's name
- Employers must provide a copy of training record to each worker or handler upon request
  - A worker or a handler may designate a representative to request, on their behalf, pesticide application and hazard information

# Information Exchange

- Agricultural establishment operator must inform the hired commercial pesticide handler employer:
  - Specific location and description of any treated areas on the agricultural establishment under REI that the handler may be in (or walk within  $\frac{1}{4}$  mile of)
  - Any restriction on entering the above areas
  - This information must be relayed to the handler working from the commercial pesticide handler employer
- Commercial pesticide handler employer must inform agricultural employer:
  - Specific location and description of the area(s) treated
  - Date and start and estimated end times of the application
  - Pesticide product name, EPA registration number and active ingredient(s)
  - REI for the product applied
  - Whether the pesticide product labeling requires posting, oral notification or both
  - Any other specific requirements on the pesticide product labeling

# What if Information Changes?

- The agricultural employer must be provided updated information PRIOR to the application when there are any changes
  - The location
  - REI
  - Method of application
  - Labeling requirements to protect workers/other persons
  - The start time if it will be earlier than estimated

# Central Location Display Site

- Pesticide Safety Information (updated poster – 2018)
- Local Emergency Medical Information
  - Name, phone number, and address
- Pesticide Application Information
  - Name of pesticide applied,
  - Active ingredient(s),
  - EPA registration number,
  - REI,
  - Crop or site treated,
  - Location and description of the treated area(s), and
  - Date(s) and times applications started and ended
- Hazard information – Safety Data Sheet (SDS)
  - All products that a worker or handlers might come in contact with

**TAVANTI  
MARRABILI  
1990  
PLAZZAS  
PUBBLICI  
DI LUG  
PUBBLICIS**

The collage consists of several black and white photographs: one showing a construction site with workers, another showing a street scene with a building under construction, and others showing architectural details and urban environments. There are also some blocks of text, but they are mostly illegible due to the image quality and angle.

**Nearest Emergency Medical Facility is located at:**

Name \_\_\_\_\_

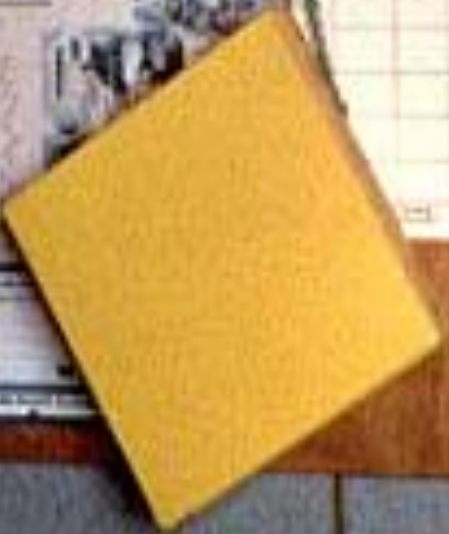
Street \_\_\_\_\_

City \_\_\_\_\_

Phone \_\_\_\_\_

**Public Application Board for** \_\_\_\_\_

Applicant No.	Applicant Name	Address	City	State	County	Zip	Phone	Comments





# WPS Records of Recent Applications Must Include:

- Name of the pesticide applied,
- Active ingredient,
- EPA registration number,
- REI,
- Crop or site treated,
- Location and description of the treated area(s),
- Date(s) and times applications started and ended, and
- Safety Data Sheet of the pesticide applied.

**(Post at the Central Location Site)**

# Restricted Entry Interval (REI)

- The time at the end of the application during which entry into the treated area is restricted
- **Workers are NOT allowed to enter while signs are posted – unless under early-entry provisions**

## Early Entry

- Entry by a worker into a treated area on the agricultural establishment after a pesticide application is complete, but before any restricted-entry interval for the pesticide is expired

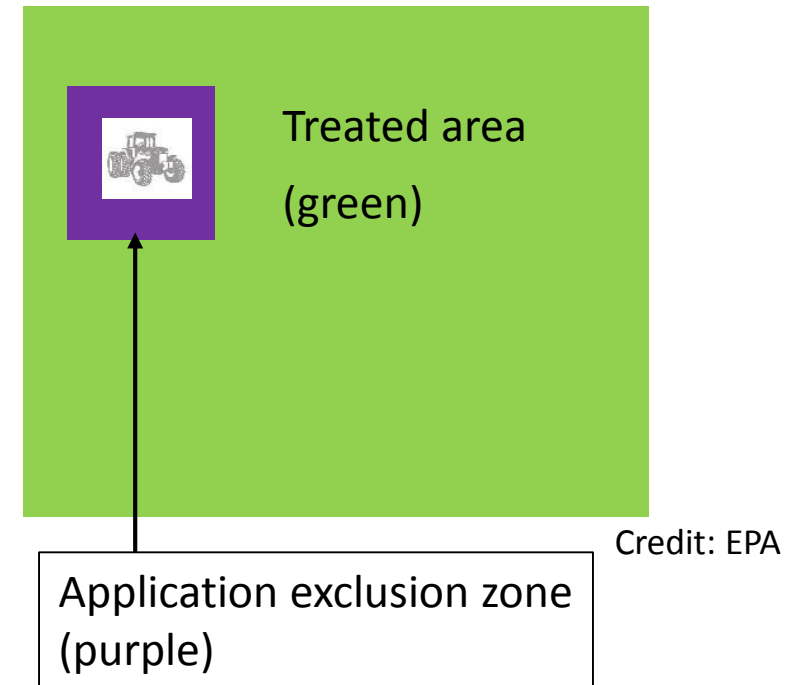


# Notification of Entry Restrictions

Double Notification	Post Warning Signs	Post Warning Signs or Give Oral Warning to Workers
Labeling statement that requires both posting of warning signs and oral notification to workers	Outdoor Production Areas – <ul style="list-style-type: none"><li>• REI is greater than 48 hrs</li></ul>	Outdoor Production Areas – <ul style="list-style-type: none"><li>• REIs equal to or less than 48 hrs</li></ul>
	Enclosed Space Production Areas – <ul style="list-style-type: none"><li>• REI is greater than 4 hrs</li></ul>	

# Application Exclusion Zones (AEZ)

- The zone or area surrounding pesticide application equipment that exists only during outdoor production pesticide applications
- Measure of the AEZ from the application equipment horizontally in all direction.
- AEZ moves with the application equipment like a halo. Once the application is over the AEZ does not exist.
- When applications of WPS-labeled pesticide products are in progress on an establishment, agricultural employers must not allow or direct any worker or other person, to enter or to remain in the treated area or the AEZ
- At the completion of the application the AEZ no longer exists and the treated area is subject to the REI that is specified on the pesticide label



# Size of Application Exclusion Zones (AEZ)

## **100 ft Minimum AEZ**

- Application by aircraft
- Application by air blast
- Spray quality is smaller than medium (fine, very fine or extra fine)
- Application as fumigant, smoke, mist or fog

## **25 ft Minimum AEZ**

- NOT applied in a manner that would require a 100 foot AEZ
- Sprayed from a height of greater than 12 inches from the planting medium using a spray quality of medium or larger (i.e., medium, coarse, very coarse, extra coarse, and ultra-coarse)



# Routine Decontamination Supplies

- Must be provided to workers who are working in a pesticide-treated area where, within the last 30 days, a WPS-labeled pesticide product has been used or a REI for such pesticide has been in effect, and are doing tasks that involve contact with anything that has been treated with the pesticide, including soil, water or plants.
- Reasonably accessible to workers and handlers (within ¼ mile or at the nearest vehicular access)
- Outside of any treated area under an REI unless supplies are all contained within a pesticide protected closed container
- Must be maintained after REI has expired
  - REI greater than 4 hrs – 30 days after the REI expires
  - REI less than 4 hrs – 7 days after the REI expires



# Routine Decontamination Supplies for Workers

## Water

- 1 gal of water for each worker at the beginning of the work period
- Water quality & temperature can not cause injury
- Water used for mixing pesticides cannot be used for decontamination without additional precautions to prevent contamination of the water by pesticides

## Soap & Single Use Towels

- Enough for workers' needs
- Hand sanitizers or wet towelettes do not meet the requirements for soap or towels

Rinse off in the nearest clean water including streams, springs, lakes, or other sources if they are more readily available than decontamination supplies

# Routine Decontamination Supplies for Early-Entry Workers

## Water

- 3 gal of water for each early-entry worker at the beginning of the work period
- Water quality & temperature can not cause injury
- Water used for mixing pesticides cannot be used for decontamination without additional precautions to prevent contamination of the water by pesticides

## Soap & Single Use Towels

- Enough for the early-entry workers' needs
- Hand sanitizers or wet towelettes do not meet the requirements for soap or towels
- Clean change of clothing, such as coveralls, for emergency

Rinse off in the nearest clean water including streams, springs, lakes, or other sources if they are more readily available than decontamination supplies

# Training Content

- Existing content kept and expanded
  - Worker training has 23 items
  - Handler training has 36 items
- New Training Content Required January 2018

# WPS Train-the-Trainer Programs

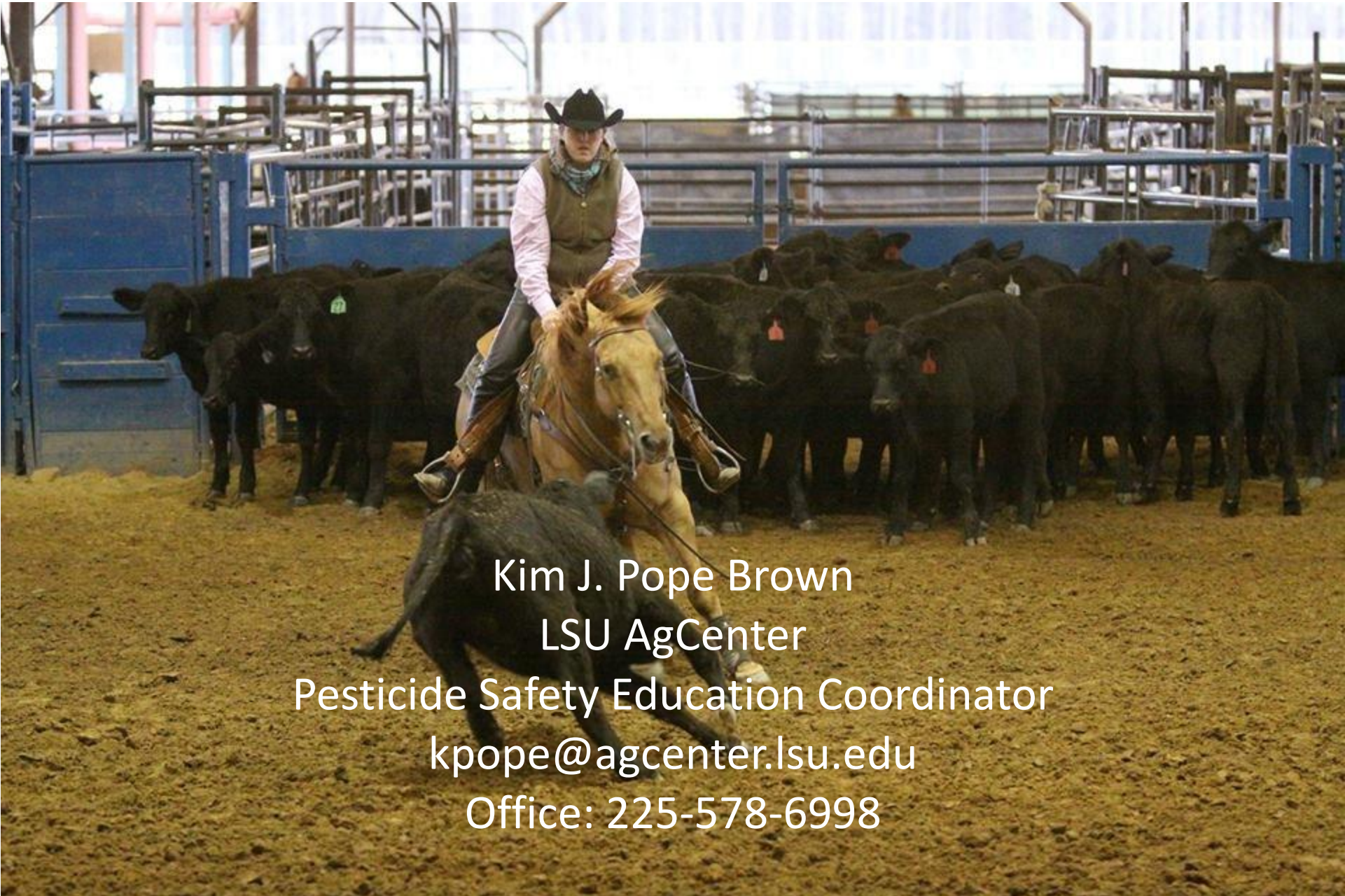
The LSU AgCenter will be providing WPS TtT Programs throughout Louisiana in 2017.

Dates to come later.

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